

This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

+ *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.

+ *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.

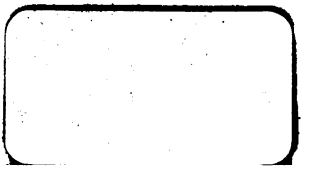
+ *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.

+ *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at `http://books.google.com/`





BRITISH ELOQUENCE

OF THE NINETEENTH CENTURY.

POLITICAL ORATORY.

FIRST SERIES.

In a Series of Foolscap 8vo Volumes, Price 3s. 6d. each.

BRITISH ELOQUENCE:

THE LITERARY, POLITICAL, AND SACRED ORATORY OF THE NINETEENTH CENTURY.

Published as far as possible under the superintendence of the Authors.

LITERARY ORATORY.

LITERARY ADDRESSES DELIVERED AT VARIOUS INSTITUTIONS.

First Series.

SIR ARCHIBALD ALISON, D.C.L.
DUKE OF ARGYLL.
HENRY GLASSFORD BELL, ESQ.
SIR DAVID BREWSTER, F.R.S.
EARL OF CARLISLE.
BENJAMIN DISRAELI, M.P.
SIR J. F. W. HERSCHELL, F.R.S.
CHARLES KNIGHT, ESQ.
LORD MAHON, M.P.
LORD JOHN MANNERS, M.P.
PROFESSOR NICHOL, LL.D.
JOHN PHILLIPS, M.A., F.R.S.
SIR THOMAS N. TALFOURD, D.C.L.
ARCHBISHOP WHATELY.

Second Series.

LORD BROUGHAM.
THOMAS CAMPBELL.
RICHARD COBDEN, M.P.
SIR E. BULWER LYTTON.
T. BABINGTON MACAULAY, M.P.
PROFESSOR MASSON.
SIR ROBERT PEEL.
LYON PLAYFAIR, C.B., F.R.S.
LORD JOHN RUSSELL, M.P.
SIR JAMES STEPHEN, LL.D.
PRINCIPAL SCOTT, M.A.
PROFESSOR WILSON.

POLITICAL ORATORY.

PARLIAMENTARY ELOQUENCE DURING THE THIRTY-NINE YEARS' PEACE.

First Series.

GEORGE CANNING.
LORD CASTLEREAGH.
LORD DURHAM.
EARL GREY.
WILLIAM HUSKISSON.
LORD LIVERPOOL.
SIR JAMES MACINTOSH.
SIR SAMUEL ROMILLY.
LORD JOHN RUSSELL.
DUKE OF WELLINGTON.

Second Series.

LORD GEORGE BENTINCK.
LORD BROUGHAM.
WILLIAM COBBETT.
RICHARD COBDEN.
EARL OF DERBY.
BENJAMIN DISRAELI.
LORD LYNDHURST.
T. BABINGTON MACAULAY.
DANIEL O'CONNELL.
LORD PALMERSTON.
SIR ROBERT PEEL.
RICHARD L. SHIEL.

SACRED ORATORY.

SERMONS BY THE MOST EMINENT LIVING DIVINES.

First Series.

Clergymen of the Church of England.

Second Series.

Clergymen of the Presbyterian Church of all Denominations.

SPEECHES

OF

EMINENT BRITISH STATESMEN

DURING THE THIRTY-NINE YEARS' PEACE.

Edited by J. W. E.

First Series.

FROM THE CLOSE OF THE WAR TO THE PASSING OF THE REFORM BILL.



LONDON AND GLASGOW:
RICHARD GRIFFIN AND COMPANY,
PUBLISHERS TO THE UNIVERSITY OF GLASGOW.
1855.

Br 140.11
5426.8

1876. Oct. 21
By exchange
of duplicates.

Oct. 13, 1876.

3 Oct 2

GLASGOW: PRINTED BY ROBERT LYLE.

INTRODUCTION.

THE Speeches contained in this volume, and those which will form a Second Series now in preparation, have been selected as specimens of Parliamentary Eloquence during the Thirty-nine Years' Peace, and are so arranged as to indicate in some degree the social progress of the period.

The first speech is therefore that of the Prime Minister, under whose auspices peace was concluded, containing an interesting sketch of the arrangements of the allies with the French in 1814 —of the return of Buonaparte from Elba in the month of March in the following year—of the concentration of the allied troops, and the decisive engagement on the 18th of June, which scattered the enthusiastic legions of the Emperor Napoleon, and gave that peace to the world which has extended over so lengthened a period,—has afforded so

many opportunities for ameliorating the condition of mankind at large, and which has been productive of such especial benefits in our own country.—Lord Liverpool's speech is followed by Mr. J. G. Lambton's eloquent denunciation of the Alien Bill of 1818, and Sir Samuel Romilly's equally eloquent condemnation of a clause introduced by the Lords into the same Bill, repealing a provision in a Scotch Act of 1695, subsequently confirmed by several Acts of the British Parliament, for the naturalisation of foreigners who became partners in the Bank of Scotland.—The speech of Sir James Mackintosh reveals the sanguinary character of our Criminal code even so late as 1819—while the fact that the appointment of the Committee for which he moved was carried by the Opposition, shows the progress of humane ideas in the House of Commons, where the majority was ready on almost every occasion to support the Ministry.—Lord Castlereagh's "Six Acts" have been the theme of much vituperation, and were, in 1820, denounced as destructive of British liberty. But looking at their results, it may be questioned whether the restraints then temporarily imposed were not rather the means of saving the Constitution. And this view of these measures is borne out by the condition of the country only

two years later, when Lord John Russell delivered his speech, wherein he refers to the "propitious fitness of the times" for discussing Parliamentary Reform—"all fears of Jacobinism abroad, and tumult at home, having given place to a state of external peace and internal tranquillity, which afforded opportunity for ample and undisturbed discussion." It was in these circumstances that Lord John proposed, in 1822, a very similar measure to that which, ten years afterwards, he carried in triumph to the bar of the House of Lords. His motion was rejected —the Cabinet then in power being opposed to Reform. Yet they were not averse to the improvement of the condition of the country, and the measures recommended by Canning and Huskisson rendered the Government so popular during the latter years of the reign of George IV. that the Reform of Parliament, being only looked to as a means to promote good government, had almost ceased to occupy the attention of the country.—Mr. Huskisson's speech on the Silk Trade affords an exposition of his entire system, illustrated by its general results; while that of Mr. Canning on the Affairs of Portugal exhibits the high tone in which that distinguished statesman administered the foreign affairs of the country. The effect of his speech

is thus graphically described in the Diary of an M.P. who was present on the occasion:—"Everybody talking about Canning and the war:—the effect, the sensation of his splendid speech is tremendous. * * * * It was an epoch in a man's life to have heard him. He surpassed even himself! The chaste elegance, the graceful simplicity, the harmonious tones of his opening speech, and the sublime energy of his reply, will haunt me to my grave. What a burst of feeling when he spoke of the Portuguese charter! I shall never forget the deep moral earnestness of his tone, and the blaze of glory that seemed to light up his features. * * * Mr. Canning seemed actually to have increased in stature, his attitude was so majestic; his chest heaved and expanded, his nostril dilated, a noble pride slightly curled his lip, and age and sickness were dissolved and forgotten in the ardour of youthful genius; all the while a serenity sat on his brow that pointed to deeds of glory. It reminded me, and came up to what I've heard of the effect of Athenian eloquence. It was a glorious night."—If the eloquence of a speech is to be judged of by its effect on those to whom it is addressed, the eloquence of the Duke of Wellington's must be admitted. No other orator, it is believed, could have per-

suaded the House of Lords to emancipate the Catholics.—But the Duke could not always control the House, else, Earl Grey would not have succeeded in inducing the House of Lords, to agree to pass a measure of Parliamentary Reform, in 1832, such as he had in vain recommended to the House of Commons forty years before; and to which much of the intervening period of his life had been devoted, in the belief that to reform the institutions of the country was to strengthen and invigorate them. In the course of his speech on moving the Third Reading of the Bill, he said,—"I took office in the hope of being able to carry this measure to a successful issue, and that hope I am happy to see on the point of being realised, by which, in my conscience, I believe that the safety of the Government, the security of the Throne, and the peace of the country will be secured. * * * * I trust that those who have augured unfavourably of the Bill will live to see all their ominous forebodings falsified; and that after the angry feelings of the day shall have passed away, the measure now under your lordships' consideration will be found in its results, not revolutionary, but, in the truest sense, conservative of the principles of the Constitution."

Lord John Russell is the only living statesman represented in this volume. He has sanctioned the insertion of his speech, which has been revised by his lordship. The other speeches have been collated with the best published reports. Those in the Second Series will be chiefly by living statesmen. They will also be given with the sanction of their authors, and will be revised by them wherever it may be found necessary.

J. M'K.

GLASGOW, 1855.

CONTENTS.

SPEECHES.

PAGE

THE EARL OF LIVERPOOL, ... 1

On Moving an Address to the Prince Regent on the Treaties of 1815.

JOHN G. LAMBTON, (AFTERWARDS EARL OF DURHAM,) 29

Against the Alien Bill of 1818.

SIR SAMUEL ROMILLY, ... 40

In Support of a Petition against a Clause Introduced by the Lords into the Alien Act of 1818.

SIR JAMES MACKINTOSH, ... 49

On Moving for a Committee to Inquire into the State of the Criminal Law.

VISCOUNT CASTLEREAGH, ... 83

On Introducing the Celebrated Six Acts against Seditious Meetings, &c.

LORD JOHN RUSSELL, ... 118

In Proposing the Consideration of the State of the Representation of the People in Parliament.

PAGE

WILLIAM HUSKISSON, ... 175

On the Motion of Mr. Ellice for a Select Committee on the Silk Trade.

GEORGE CANNING, ... 225

On Moving the Consideration of the King's Message on the Relations Subsisting between Great Britain and Portugal.

DUKE OF WELLINGTON, ... 269

On Moving the Second Reading of a Bill for the Relief of the Roman Catholics.

EARL GREY, ... 295

On Moving the Second Reading of the Reform Bill for England and Wales.

SPEECH

OF

THE RIGHT HON. THE EARL OF LIVERPOOL

ON MOVING FOR AN

ADDRESS TO THE PRINCE REGENT ON THE TREATIES OF 1815.

HOUSE OF LORDS—FEB. 10, 1816.

MY LORDS,—It is now my duty to call your lordships' attention to the treaties which have been laid on your table by command of the Prince Regent; and in so doing, the first circumstance which suggests itself, and which, indeed, forces itself upon my notice, is the extraordinary rapidity of the success which has attended the military operations of the late campaign, as well as the complete nature and result of that success. It was only on the 25th of May last that your lordships addressed the Prince Regent, and promised your aid towards the re-establishment of peace and security in Europe. Your lordships then heard the dismal forebodings and evil prognostications as to the result of the policy which you thought proper to adopt. In little more than three weeks from that period—on the 18th of June, Europe was a second time de-

livered on the field of Waterloo. In a few days after Buonaparte was forced to abdicate, and on the 3d of July Paris capitulated to the Duke of Wellington and Prince Blucher. I think I may safely say, that there is no instance in the history of this or any other country, where, considering the magnitude of the operations and the object, the success was so rapid, and so complete and decisive in its nature. I state this, because nothing can set in a higher point of view the exalted merits and glorious services of the commander and the troops. But, have I not also a right to say, that the government in such a trying moment was not wanting in its duty, when, under the circumstances which then existed, it collected and brought to bear upon the enemy, within so short a time, a body of troops capable of performing such great and important services? And may I not further say, that it is a strong presumption of the soundness of the policy upon which this country has acted, that the power of the adversary, which had been represented as so formidable, was completely overturned by the effect of a single victory? If that power had been rooted in the affections of the people of France, as has been some times and in some quarters asserted, is it to be believed that it would have been so speedily destroyed?

This, then, is the first circumstance which will naturally press itself upon the attention of the House — the rapid and complete success which attended the military operations of the campaign.

But, before I proceed further to state the nature of the measures adopted by the allied powers, I must explain the principles upon which they were founded; and with that view I must look a little back, and observe in what situation this country stood with respect to France and the allies, at the time when these operations commenced, and also at the time when the negociations which led to the treaties now before your lordships began. In 1814, when the allies entered Paris and the war was finished, the great principle upon which this country and the other allied powers acted, was that of liberality. The principle of the treaty of Paris in 1814 was that of great liberality towards the French government and the French nation. Many, indeed, thought at the time that this had been carried too far, and in one or two instances this may have been true. But, though ill applied in one or two instances, yet I am prepared to contend, that the principle itself was just and wise. The object at that time was, to make the government then established in France satisfactory to all parties, and to take away all pretence for disaffection and revolt. And I cannot help looking back upon the policy which was then followed, with a great deal of satisfaction. If the allies had not acted upon this principle of liberality and confidence towards the French people, it might have been said, that the hard conditions imposed by this country and the other powers, and the ungenerous advantage taken of the state of France, had occasioned the revolt which afterwards took place. But,

by the liberal nature of the policy which was adopted, all pretences of that description were taken away. The object was to show every respect to the King of France, and to repose every confidence in him and in the French nation, which was consistent with the repose and security of Europe. The principle was that of rendering the government popular in France, and establishing a state of things in that country the best calculated, as far as could then be seen, to lay the foundation of lasting peace in Europe, by providing for the internal tranquillity of France, with which the peace of Europe was intimately connected. This was the policy then pursued; and if your lordships will carefully advert to what happened afterwards, you must, I am persuaded, be convinced, that the re-action which took place was the consequence of the revolt of the army, and of that only. It certainly could not have been owing to any undue severity in the government, for my firm belief is, that a milder government, under such circumstances, never existed. That there may have been some errors in the government, as there must be in all governments conducted by fallible men, I do not mean to dispute; nor was the circumstance extraordinary. But the general policy of the government was mildness, and a disposition to secure the good-will of all parties; and the errors, if such there were, arose from that fallibility to which all human operations are subject.

I think it material to mention these particulars, as connected with the situation of France at the time

of the landing of Buonaparte in the beginning of March, 1815. The effect of that operation was certainly wonderful and unexpected. I have heard it said out of doors, that the success was to be ascribed to this wrong and that error of the French government. But my firm belief is, that the success of Buonaparte's attempt was not owing in the slightest degree to any error of the government of France; it was owing, as I have before stated, to the revolt of the army, and to nothing else. That was the sole cause, and whether the policy of the government were more or less wise, signified nothing as to that circumstance. As to whether any precaution could have been taken, so as to prevent the success of Buonaparte's attempt, I will not now consider. But the fact I take to be perfectly clear, that the success was owing solely to the revolt of the army, together perhaps with the circumstances of surprise which attended the enterprise. When the news of Buonaparte's landing first reached the allied sovereigns at Vienna, the declaration of the 13th of March had been published. That declaration, it must be observed, was issued merely on the intelligence of his landing, before they had heard of his success; and this was manifest from the terms of that declaration, which expressed a hope that the French themselves would repel the attempt. The object of it was to excite the French to repel it, or, in case they had risen for that purpose, to excite them to greater alacrity and perseverance, by showing them that the allies were determined to support

them. It was intended as a species of stimulus to the French for the accomplishment of a purpose in which all were so much interested.

Such was the proceeding of the allies before they knew of Buonaparte's success. On the 25th of March that treaty was signed which was last year laid on your lordships' table. That treaty was entered into after the allies knew that the enterprise of Buonaparte had been, to a certain extent, successful. They were then aware, that he had entered Lyons. But it was material to observe, that it had been concluded before they knew that the King of France had been under the necessity of quitting Paris—before they knew that Buonaparte had entered the French capital, and while they conceived that, even if the King should be obliged to leave Paris, he would still be at the head of a powerful party in some other part of France. It was concluded in the belief that Louis XVIII. was then *de facto* King of France, at the head of a strong force, either at Paris or some other part of the country. This appeared from the terms of the treaty; for it was stated, that in case the King of France demanded assistance, he was to mention what force he himself could bring forward. Such were the circumstances under which the treaty was concluded at Vienna. When it came over to this country, it was known here that the King of France had left Paris and France, and had retired to Ghent; and under these new circumstances, the ministers here had to consider how far they could

adopt that treaty. They had therefore thought proper to accompany their acceptance of it with a declaration with which your lordships are already acquainted. The design of that declaration was to show, that in adopting the treaty, though we most anxiously desired the restoration of Louis XVIII. and considered that restoration as a matter of the first importance, yet we did not mean to bind ourselves to engage in a war with France merely for that object. When the treaty, with this declaration, was again received at Vienna, the allies concurred in the views of the government of this country, and made a counter-declaration to the same effect. Whether that is among the papers on the table, I am not certain; but, if it is not, your lordships have a complete view of the policy of the allies on that occasion in the clear and distinct letter of Lord Clancarty. It then came to be considered whether the 8th article of the treaty, by which the King of France was to be invited to accede to it, could be executed—that article having been inserted under the idea that Louis XVIII. was *de facto* King. Matters stood upon a different footing when it was understood that the King had quitted the French territory; and the consequence was, that the 8th article was never executed, and that the King of France had never been invited to accede to that treaty, and had not, in fact, acceded to it. It is necessary to go into this detail, in order to show the relation in which this country stood, with respect to France and the allied powers, at the

time when the operations of the campaign commenced. The result, I conceive, is, that there was no engagement by this country and the allies with the French King. They were bound in regard to each other, unless any of them chose to release the rest; but they were under no engagements with the King of France, who had never been invited to accede to the treaty, and never had acceded.

On the other hand, though there was no positive engagement on our part with the French King, I am ready to admit, that from all that had passed, and the recognitions we had made, we were under a species of honourable and equitable engagement to support the pretensions of Louis XVIII. as far as that could be done without touching on the principle which the government of this country had promulgated as the rule of its conduct. It was the anxious wish of the government of this country, that Louis XVIII. should be restored to his throne, and it was its professed object, to do every thing that could be done for that purpose, yet so as not to make that restoration a *sine qua non* of peace. Your lordships, therefore, will easily see the distinction between the terms of the treaty as it stood before it was known that the King had left France, and the nature of the engagements which were actually entered into after all the circumstances were under the view of the allied powers. The object of the treaty of the 25th of March was the general security of Europe. Experience had proved, that that security was essentially connected with the in-

ternal state of France, and that Europe never could be secure while the government of France was founded upon a military force, and a system of aggression and conquest. The great alliance of Europe could never have been cemented, unless the object had been the general security of Europe, without any view to the interests of any particular power, except in so far as they were connected with that grand object. Before hostilities commenced, three alternatives presented themselves for the consideration of the allies. The first was, to treat with the actual government of France, if it could be treated with upon any reasonable terms, which was highly improbable. The having to do with any government in France, except that which I consider as the legitimate government, is an alternative which, I confess, I cannot look at without dismay. If that alternative, however, had taken effect, we should have been entitled to insist on the principle of cession and dismemberment, to any extent that we might think expedient, and had power to enforce. No government, except the legitimate government of France, had any claim to the confidence of the allies, so as to induce them to forbear from insisting upon every thing that might be necessary for the security of Europe, whatever might be the sacrifice on the part of France. The second alternative was, that the French themselves might have risen and restored their exiled sovereign. If that had taken place—if the French themselves had restored Louis XVIII. then, I conceive the government of France

and the French nation would have stood, with respect to the rest of Europe, in the same situation as before, and that the stipulations of the treaty of Paris of 1814 ought to have been strictly adhered to. The third alternative was, that the King of France should be restored exclusively or chiefly by the efforts of the allies. In that point of view, the allies acted upon the most liberal policy with respect to the restored government, that circumstances would admit of; but after what had happened, they were fully entitled to insist upon some indemnity for the past, and security against the recurrence of such an event in future.

Thus it appeared that there was no specific engagement with the King of France, and that upon his being restored by the allies, they were bound, by their duty to their own subjects, to accompany that restoration with such conditions as would afford sufficient security for the peace of Europe. Then, what was the course of events? On the 18th of June that memorable conflict took place which had decided the fate of Europe—a conflict the most tremendous and extraordinary that had ever happened in the annals of the world—a conflict remarkable, not only on account of the prodigious talents displayed by the general, and the exalted valour of the troops, but also on account of this peculiarity attending it, which had been noticed by the general himself—that it took place in so narrow a space (and narrow indeed it was, considering the immense force engaged in it), that it was, in fact, a trial of

the moral and physical strength of the two nations. Your lordships know the issue of that conflict. That power which had been raised by the sword fell by the sword. It had no hold in the affections of the country, or even in the two assemblies. It rested merely on the army: that army was crushed, and the country was open to the Duke of Wellington and Prince Blucher, who advanced without opposition to Paris. The provisional government, which had acted after the abdication of Buonaparte, dissolved itself, and the King returned, and was immediately received into his capital. The allies had then to consider, after the French army had been disbanded, what new arrangements were to be made, in order to provide for the future repose of France and of Europe. I have already stated, that the allies, under the events which then happened, were entitled to demand some indemnity for the past, and security for the future; and they had to consider how these objects could be attained, with the least possible hurt to the feelings of the French government and people. Here there were conflicting duties. In 1814, the allies had acted upon a principle of confidence in the French nation; that, however, could not now be done; and their duty to Europe, and to their own subjects, required that they should insist upon some effectual security for the future tranquillity of France and of Europe.

This leads me to the consideration of the terms of the treaties now on your lordships' table; and if, in considering these, I do not enter into all the minute

circumstances connected with the arrangement, it is only because I am anxious that the minds of your lordships should not be so embarrassed with a multiplicity of details, as to preclude a due attention to the great principles upon which it was founded. The arrangement was founded on three principles; First, the military occupation of part of France by the allied troops for a limited number of years. Second, the pecuniary compensation which the allies were entitled to exact from the French government. Third, a territorial arrangement. Though all of these were important, the first was the most essential, and that upon which the others depended. There might be different opinions as to what sums of money, or what territorial cession might be required; but it was evident, that nothing effectual could be done without keeping part of the troops of the allies in France for a limited period. This principle was then indispensable and essential for the due performance of the other conditions; for the payment of the pecuniary indemnity, and the due execution of the territorial arrangements, depended on the internal tranquillity of France. Considering, then, the extraordinary efforts made by the allies, the right to demand a pecuniary indemnity could not be disputed, and, in fact, it was not disputed, by the French government; but it was necessary that the demands of the allies in this respect should not only be kept within the bounds of justice, but within the limits of the ability of the French government to pay. It was clear, that

700 millions of francs were not beyond the just claims of the allies; and this, it was conceived, was no more than the French government could pay; but then it was evident, that this payment could not be made all at once, and it was perfectly just and equitable that part of the allied force should remain in France, and that some of the French fortresses should be held by the allies till the payment should be completed. This was just in itself, and consonant to what had been done on former occasions.

The next point was that of territorial cession; and there is no doubt but the allies were entitled to demand a much longer cession than had been actually required. If it had stood merely on the right, however, it might have been a question how far it was expedient to insist upon it; but the allies had to revise the treaty of Paris of 1814, with a view to the consideration of what additional security ought to be demanded for Europe. This, however, was a matter of great difficulty; for the allies had to consider, not only what extent of cession might be required, but also how and to whom to dispose of the territory ceded. It appeared to the allies that, considering all the circumstances, they had a right to a retrocession of all that territory not belonging to France at the period of the commencement of the Revolution, which had been left with her under the treaty of 1814. Regarding the integrity of France, then, as the basis of the arrangement, the allies thought, that as portions of territory which had belonged to other

powers had been left to France, because they were *enclavé* within the French territory, it was but just that portions of territories belonging to France, *enclavé* within the territory of other powers, should be surrendered to them by France; and on this principle certain portions of the French territory were assigned to the Netherlands, to Prussia, and other powers. It had been the opinion of the Duke of Wellington, who, in 1814, had made a survey of the Belgian territory, that the fortresses adjoining France might be put into a practicable state of defence and security, by completing the works in some of them, and restoring the dilapidations in others. This survey would be ever memorable, not only from the practical consequences of it, but also from one circumstance of striking peculiarity—that when the illustrious commander came to the spot which had since been the scene of his triumph, he observed, that if ever he had to contend for the Low Countries, Waterloo should be the position which he would choose for maintaining the struggle. The opinions of a man, whose anticipations had been so completely confirmed by subsequent events, became doubly important; and, acting from such suggestions, the allies thought it highly expedient that a part of the French contributions should be applied to the restoration of those Belgian fortresses—a mode of applying them, which was considered at once as most useful to the Netherlands, and least wounding to any honest pride of the French themselves. At the same time, the allies felt themselves

entitled to possess such of the opposite French fortresses as were not surrendered by military occupation, till the works of the fortifications on the Netherland frontier should be perfectly finished. The great object was to establish a sufficient frontier, partly by cession, and partly by military occupation—an object of equal importance to the safety of the external territory and to the internal tranquillity of France. I am still, however, prepared to state, and to state it as a justification of the policy pursued by the allies, that a considerable majority, at least three-fourths of the people of France, were sincerely and ardently attached to their legitimate King, Louis XVIII. This opinion I asserted in a former debate, and every thing I have heard or seen confirms me in that opinion.

There has been, as your lordships know, two legislative assemblies called together within the course of the last year; one elected under the direction of the individual who at the time assumed the sovereignty, the other more recently elected under the auspices of the rightful monarch. It was no trifling argument against the pretended popularity of the late chief, that even the assembly of his own selection had shown but little attachment to him or his fortunes. But a still stronger argument might be deduced from the dispositions and feelings evinced by the present chamber. If any noble lord would take the trouble of examining the list of the electors of the two chambers, he would find that the partisans of the King

were not merely double the supporters of Buonaparte, but that nearly three-fourths of the electors had shown by their votes their attachment to the legitimate government, while not more than one-fourth had declared their inclination for the unlawful sovereign. It was true, that the King had made a small addition to the number of electors in each department, but the augmentation altogether was not more than one-tenth of the whole. It was thus evident, that in point of numbers, as well as respectability, the King's government was the more popular. I do not, however, mean to assert (for how could any man venture such an assertion?) that there was not a very considerable party hostile to the legitimate dynasty. When I look at a large portion of the members even of the legislative assembly; when I consider that 30,000 officers had been disbanded, and would therefore continue to be an immense focus and centre of discontent and disaffection; I cannot doubt, nor can any man who exercises a good and honest sense of things for one moment doubt, that a large party existed in France, whose great wish it was to overturn the government, to uphold that profession of conquest and spoil in which they had been nurtured, and to make the sword the sole instrument of external and internal rule. Were the allies to be blamed for this? Was England to be charged with this evil disposition of a French party? It had been their earnest wish and endeavour to reconcile the army to the King; the project had failed: the army had been from neces-

sity disbanded, and discontent and danger were the natural result. Till this discontent has been removed, till this danger has been subdued, would it be wise, would it be safe, to leave France to the machinations of those turbulent spirits, uncontrolled by the presence of foreign power? There is no inconsistency in this argument, or in this conduct. The great majority of the French people are in favour of the Bourbons, and yet there is also a great, and active, and powerful party anxious, from desperation, to overwhelm the throne; and which, from its military composition, would be able to overturn it, unless checked and rendered powerless by the vigilant interference of external force. Nor would the principle of dismemberment, which some have advocated, at all tend to insure internal tranquillity, unless accompanied by military occupation; but would rather add to the internal discontent, while it would exasperate even the well-disposed against the government and its allies. Upon the whole, then, England has adopted the plan of military possession for a certain time, from a conviction that it is the most just, both for itself and for all Europe.

I am aware that objections have been made to the right of interference with other governments. This was so ably argued last session, that I will not now discuss the subject at length, though, as it has been renewed, I will just notice it. I must say, then, that I cannot conceive on what ground this objection is founded. I cannot find any, either in the

writings of statesmen, or in recorded treaties, or in the traditionary principles which regulate the external policy of nations. The great principle of all government, in its domestic or foreign relations, is self-defence, either against direct attack, or against probable or premeditated danger. The balance of power, if traced to its true source, will be found to be derivable from this principle. Certainly it is to be allowed, that in common cases the internal concerns of a particular nation ought not to be meddled with by another nation; but if these concerns affect the very existence of other nations, then it becomes a duty to interfere, for the same reasons which justified the interference of a third power between the quarrels of two contending countries. If such a position required illustration, I might refer to the familiar case of a nuisance, or a fire. If the house of an individual present cause of just and manifest offence to the adjoining houses, both natural and municipal law allow the neighbours to interfere, and insist on the abatement of the object of offence. If a house were in flames, did either morality or law require that a man should wait till his own house caught the conflagration, instead of rushing forward at once to extinguish the danger, even by the demolition of the house from whence it issued? The only question is—is the danger evident? Is there a necessity for self-defence? I will not say that a mere apprehension of danger is sufficient; the danger should be open and apparent; but, in the case of France, I would ask,

whether the danger has not been felt and experienced for twenty years? One would have thought, indeed, that the French revolution formed of itself such a case as should be made an example of; that if no precedent had existed which could be applied, a precedent might in this instance have been fairly created.

But it has been asserted that no examples exist, which can warrant the present conduct of England and her allies with respect to France. It is triumphantly maintained, that no treaties can be found where the principle of such interference has been avowed. How different, it is said, were the proceedings connected with the accession of King William and of the house of Hanover! In answer to such assertions, I would ask—had the gentlemen who advanced such arguments ever looked into the treaties relative to the accession of those two houses? I will first call the attention of your lordships to a treaty between Queen Anne and the States-general, concluded at the Hague on the 29th of October, 1709, in the second article of which it was stipulated, that "no power having a right to call in question the succession of the house of Hanover to the throne of Great Britain, and to oppose the laws made to this purpose, by the crown and parliament of Great Britain, the States-general engage and promise to assist and maintain in the said succession, her or him to whom it shall belong by virtue of the said acts of parliament, to assist them in taking possession, if they have not already got it; and to

oppose those who would disturb them in the taking such possession, or in the actual possession of the aforesaid succession." In the treaty of January 29, 1713, there is a similar article, where the States-general further engaged, after the decease of the Queen, to assist the house of Hanover in obtaining and keeping possession of the throne of England. And in the fifteenth article of this latter treaty it is agreed, " that all kings, princes, and states, that desire to come into this treaty, may be invited and admitted thereunto." In the seventh article of the treaty of triple alliance there was likewise a stipulation, that if the government of the house of Hanover were disturbed by any internal plots, France and Holland should furnish the same succours as in case of foreign invasion.

Here, then, are treaties and solemn engagements made under the sanction of the parliament of Great Britain, not against foreign enemies, but against internal conspiracy and sedition. There are, indeed, some people who would maintain, that the accession of the house of Hanover was not then desired by the majority of the nation; and certainly all must allow that, at the time alluded to, there existed in this country a most formidable party in wealth, rank, connexions, and talent, which was decidedly hostile to that illustrious house. The wiser part of the nation had, however, demanded them for its rulers: and I would ask, whether there could be any principle which justified the English nation in then calling upon foreigners for interfer-

ence which would not now even more amply justify England in her interference with the internal direction of French affairs? No man can be less willing to become an advocate for the house of Stuart than I am; but I cannot help observing, as to the rival dynasties of Stuart and Brunswick, and their probable influence and consequences upon foreign nations, it could have been of very little importance to other states by which of the two houses England might be governed. But here, in the case of France, there is no rational hope of internal tranquillity or safety to any individual state of Europe, unless there is a direct interference with the domestic management of France. I know that there are some who maintain that the dismemberment of France would have been better than this continued intermeddling with its affairs; and, certainly, if any man were to ask me, as an abstract question, whether I would wish to see France curtailed, I would not answer in the negative. But another question arises—to whom the detached members of its territory could be given? For if they were given to a power incapable of maintaining them, such power would be weakened instead of strengthened by the accession. To put the question fairly, I would inquire whether, for instance, the security of the Netherlands would not be endangered, rather than confirmed, by the possession of Lille and Valenciennes? If, indeed, the policy had been to humiliate France, or to reduce it as far as possible to a second rate power, then no measure should have been observed in the treat-

ment of it: it should have been dismembered to any extent, provided its provinces could have been put into the possession of those who were able to preserve them. But the allies had very different objects in view. With respect, indeed, to the spoils and trophies of former conquests, it was but just, that when fortune turned in favour of the allies, these acquisitions should be considered as in some measure the just fruits of victory, as far as related to the restoring them to their original possessors. The mode of removing them might be humiliating, but the principle was just, and such as no sensible Frenchman would dispute. If, on the other hand, the provinces of France had been dismembered, a feeling of hatred would have been excited never to be conquered; and how would any state, though gifted with these accessions, be able to make a stand against the desperate exasperation of a people, stung into putting forth all its strength? And how could such a risk be justifiable, when, as in the case of the Netherlands, the best means of defence in other states were to be found in the states themselves? The great object of England had been to keep the alliance entire. Where the different interest of the allies excited some natural disputes and difficulties, the ministers of England felt that they should have incurred unpardonable guilt, if they had not given way in matters not of pre-eminent importance, in order to reconcile all parties. It was not unnatural that the countries bordering on France should wish to have their territories augmented, and it was a

happy circumstance for this country to be so situated as to be able to be a sort of disinterested mediator in those contentions; for though the proximity of our position to France rendered the state of that country a matter of the highest importance to us, yet our insular situation, precluding the notion of any immediate interest with its condition, allowed our interposition and arbitration to be viewed without prejudice or passion.

Upon the whole, I may fairly say, that there has rarely been an arrangement where all interests have been so carefully provided for. What is it that has been undertaken? We are bound to restore the unmolested possession of France to its king at the end of five years; but we are not bound to restore it to any other government then existing: and thus time is given to the King to correct those evils which could not be corrected in a moment. Throughout all these transactions, Great Britain has had no merely personal object in view: her conduct has been purely disinterested, and she has taken especial care not to prejudice the King of France in the eyes of the people of France. As to the removal of the pictures and statues, that was a great act of justice, whether considered in relation to the past or the future. Whatever partial and temporary exasperation may exist on this subject, sure am I, that if those works of art had remained in France, they would have been a perpetual rallying sign for revolutionary principles, inasmuch as they were the trophies of revolutionary triumphs. Proud am I of

the part which this country has borne in the transaction, because not a single statue or picture has been taken for itself; still prouder am I because it has obtained that every one of them should be restored to their original owners. Indeed so strong is my feeling on this particular point, that much as I deprecated their remaining in France, I should have preferred even that to their being sent either to this country, or to any to which they did not rightfully belong.

Now, as to another part of the great arrangement, to which the papers on the table relate, namely, that respecting the Ionian islands, it was in compliance with the general views of the allies and of Europe, that the British government should take those islands under its protection; and I think it must be felt, that government would not have done its duty, if it had declined to accede to that proposition. And here I would ask those who talk so much about the prevalence of a jealousy in Europe, against our maritime power, whether the voluntary surrender of these islands to this country affords any ground to justify that opinion? It is, indeed, a most gratifying proof of the general confidence of the allies to place a people, so interesting for various reasons, under the protection of this great and liberal nation; and I feel fully assured, that that confidence will never be found to have been misplaced—that Great Britain will do her duty towards those whom she has undertaken to protect.

In considering the whole of the great transactions

under discussion, I feel the most sincere satisfaction, not only from a review of the object of the great alliance of which we formed a part, but from a reflection upon the result. The object was, to put down the principle of universal empire and military despotism, which the power of France was so long employed to promote. Yes, I will ever maintain, that a project of universal empire filled the mind and actuated the efforts of him against whom this country has so long been compelled to wage war. Views of aggrandisement were, indeed, pursued by the French government, which were utterly inconsistent with the safety of Europe. Yet these were the views of Buonaparte, and of that revolution of which he was the champion. But I believe that no rational being could now be found to entertain a doubt upon this subject in any quarter of the world, namely, that the views of the revolutionists and their principal Captain were alike inconsistent with the general safety of Europe, and the establishment of real liberty. The defeat of such views must therefore be grateful to every good man, while in the existing state of mental cultivation there is every prospect of the improvement and advance of rational liberty and the happiness of mankind. What a consolatory contrast does this present to the state and tendency of the late revolutionary government of France! That government was, indeed, a systematically organised despotism. What, for instance, was its conduct with regard to the liberty of the press? That liberty in this coun-

try is subject to no restraints, but those which are necessary to the safety of the government; and even with respect to that safety, how many instances may be found where writers are tolerated, while, to use a familiar phrase, they "sailed very near the wind" indeed. Yet such is the high and just estimate attached to the enjoyment of the liberty of the press in Great Britain, that abuses of that liberty are often overlooked, lest its importance and utility should be impaired. But what was the system in France under Buonaparte? Why, a censorship was established, the functions of which were not confined to politics merely, but extended to every description of writing. This censorship was, indeed, often exercised in making a total alteration in the sentiments of a writer, and that, too, in the discussion of moral and philosophical subjects—in disquisitions upon topics unconnected with politics. But such was the rigour of the system uniformly pursued by him, whose whole object was the gratification of his own will, in the establishment of a complete military despotism, and in rendering man a mere machine. Thanks, however, to the manly perseverance of this country, and the distinguished valour of its allies, that abominable system is put down—put down too by efforts on our part to which every quarter of the world bears honourable testimony—for which is the quarter which was not in the course of the war the scene of some glorious achievement for Great Britain?

Now, as to the general merits of the treaty under

consideration, I call upon your lordships to compare it fully with any treaty recorded in our history. In former arrangements, at the conclusion of a war, it has often been represented, that this country neglected to keep what she had acquired; but in this instance I rather apprehend, that however some may suppose we have kept too much, it can hardly be alleged that we have kept too little. It has also been objected to former arrangements, that the interests of our allies were sacrificed and our own obligations deserted; but all Europe bears testimony to our good faith and generosity on the present occasion.

With respect to the difficulty and distress complained of at present, I lament it most seriously, but I feel satisfied that that difficulty and that distress can be only of short duration. Such distress indeed is usually found to follow the conclusion of every war, and to be generally most severe immediately upon the conclusion of the most successful war. There are several men now living who must recollect the state of the country upon the conclusion of the peace in 1763, which terminated a glorious and successful war. Yet such was then our situation, that many doubted whether the taxes would be sufficiently productive to pay the interest of the public debt. But it is the natural consequence of peace, that the numbers who have subsisted upon a war expenditure should experience distress until capital takes another direction, and the industrious habits which belong to a state of peace have resumed their activity and influence. And here I think it

proper to observe, that, under the circumstances of difficulty in which the country is placed, it is most material, with a view to mitigate the pressure of that difficulty, that the suspension of cash payments at the bank should not at present be removed. Upon this point, indeed, I remember that a noble lord with whom I have sometimes the honour to concur, and who professed to disapprove of the principle of restriction either in peace or in war, still objected to the removal of that restriction immediately upon the conclusion of peace because he thought that at that period such removal would be peculiarly inexpedient. With that noble lord I fully concur, that the period alluded to would, for various reasons, be a most improper time to choose for the removal of the restriction. With regard to the peace establishment I trust it will be felt that under all the circumstances, the establishment proposed is peculiarly necessary. We are indeed called upon by every consideration of policy to keep up a proper establishment. This, I have no doubt, will be the universal sentiment of the country when it is recollected that with a population of from twenty-five to thirty millions of people in France too generally infected by revolutionary feelings, it behoves us to provide for the security of the advantages which we have obtained, and that in such circumstances a low ineffective establishment might be productive of fatal results.—The noble earl concluded by moving an Address to the Prince Regent, expressing approval of the Treaties.

SPEECH

OF

JOHN GEORGE LAMBTON, ESQ.

(AFTERWARDS EARL OF DURHAM,)

AGAINST THE

ALIEN BILL OF 1818.

HOUSE OF COMMONS—MAY 15, 1818.

MR. SPEAKER,—It was with no small degree of surprise that I witnessed the introduction of this bill the other night. It surprised me much that in a period of profound peace an Alien bill should have been twice submitted to your notice. This can only be accounted for from the idea which the noble lord (*Castlereagh*) seems to entertain of the subserviency and pliability of parliament, an idea which I could not but think well founded when I saw what passed in the House last night. The noble lord ventured to tell a British House of Commons that this Alien bill was a mitigated system; but it is a system at variance with every principle of our constitution—a system which violates at one blow the spirit of those ancient regal enactments which protect the liberty of all residing within the realm—which is in direct contradiction to an express provision of Magna Charta, and which goes to destroy every thing that dis-

tinguishes the constitution of this country from the arbitrary governments hitherto held up to the scorn and execration of all Europe. Up to 1793, the policy of this country had been to protect all foreigners who selected this country for their residence. This spirit pervades every act of our legislature which has any relation to foreigners. Had the same spirit which commenced with the continental tyranny introduced under the auspices of the noble lord, then prevailed in this country, would England have profited as she did by the revocation of the edict of Nantes? The asylum given to these persecuted foreigners, laid the foundation of those manufactures which have given to this country a superiority over every other country in the world. Even the bigoted Catholic monarch who then filled the throne of these realms, protected the Protestant subjects of France, driven from their country for adherence to their religious opinions.—James II. felt himself bound to receive those Protestant fugitives, from a conviction of the benefit that would arise to this country, even at a time when he was dispensing with the Test act in favour of his Catholic officers—when he was authorising the cruelties and inhumanities of Kirk and Jeffreys, and pursuing, in all other respects, that system of bigoted persecution, which ultimately and happily ended in his expulsion from the throne. I mention these facts merely to show that in all times foreigners have enjoyed liberty and security in this country, even when the country was subject to all the danger

which threatened it from a pretender to the throne. In 1793, the Alien bill was first passed, on the pretence that we were threatened with great danger from the resort of foreigners to this country. I will not now enter into the question, whether this pretence had or had not any foundation in truth—but certainly, whatever grounds there might be for an Alien bill in 1793, there cannot be the same now. That bill was a war measure, and stood on decidedly distinct and separate grounds; and unless it can be proved that danger is to be apprehended to the tranquillity of our own government from the machinations of aliens, whose countries are in avowed and open hostility to us, I must assert that no precedent can be drawn from the adoption of that measure. We are now at peace and amity with all the European world—all revolutionary doctrines have been annihilated by the sad experience of the last twenty-five years, their fervour and violence having subsided first into a military, and latterly into a legitimate despotism. The coalesced powers of Europe have succeeded in repressing the ambitious encroachments of Napoleon—have hurled him from his powerful and elevated situation, and replaced on the vacant throne of France the exiled family of the Bourbons. In every corner of Europe has legitimacy raised its head. That cause has been strengthened by the treaties and associations of monarchs, and acknowledged as the watchword of peace by the noble lord himself at the Congress of Vienna. In furtherance

of that object he had planned and executed the spoliation and partition of whole countries—divided populations possessing the same manners, language, and customs—separated subjects from a monarch whom they respected and venerated—handed over independent states to sovereigns whose rule has been immemorially the object of their detestation, and in the nicety of his calculations, as purveyor to legitimacy, has even divided his human merchandise into souls and half souls; and all this is perpetrated to ensure the safety of legitimacy, and, according to the noble lord's mode of reasoning, the general peace of Europe. But has he not succeeded in all these objects? Has one single event occurred since the period of these proceedings to justify the present measure? Every act of spoliation has been carried into effect; and, according to the noble lord's own showing, there is no danger, no hostility to be apprehended from any foreigners whatever. As then the noble lord persists in urging the adoption of this measure, though he cannot undertake to state that any danger is to be apprehended from foreigners, we must look for other causes. What I am about to state I believe to be the real and true cause:—the bill is not introduced for the purpose of protecting these realms from danger, but for the purpose of assisting tyrants, and upholding continental despotism—for the purpose of annihilating that small spot of liberty, that refuge from oppression, which once existed here to the honour and glory of the British name. It was

once the boast of Englishmen, that the moment the feet of a slave touched the British soil, he became free. It is every where repeated, that, however much slavery and tyranny may degrade and oppress human nature in other countries, here they have no power—however much they may elsewhere persecute all parties, sects and opinions, from the moment they reach the shores of England, that persecution ceases.

> "That sacred isle!
> Cut off from the continent, that world of slaves:
> That temple built by Heaven's peculiar care
> In a recess from the contagious world,
> And dedicated long to Liberty.
> That health, that strength, that bloom of civil life.

But, I would ask, can that description which was justly applied by the poet to this country, even in 1745, be any longer considered appropriate? The noble lord, who now desires the renewal of the Alien bill, proposes it with no other view than to subserve the purposes of continental politicians. If the noble lord maintains that it is not framed with this view, I will call on him to pledge himself that it will not be put in execution against any of the persecuted individuals who can now only find a secure asylum in this country—I mean those unfortunate men who are proscribed by the King of France, after his being a second time placed on the throne by the allied troops. In considering this bill as it must necessarily apply to the case of those individuals, I shall very shortly call the attention of the House to the nature and history of that proscription. If no

Alien bill existed—if that liberty of action were still accorded which it was once the noble policy of this country to extend to all foreigners whose countries were in a state of peace with us, I should not have deemed it necessary to express in this House any sentiments but those of mere commiseration for the fate of victims of tyranny and oppression—sentiments which I am confident will be echoed by every man both in the House and out of it, who is not subservient to the mandates of that policy which has been pursued by the allied powers during the course of the partition of Europe. But it is the object of the noble lord to prevent those unfortunate individuals from availing themselves of that protection in this country, which is due to all who conduct themselves peaceably in it, thus rendering the government of this country the accomplice of measures which history will describe as most tyrannical and unjust. When the valour of our troops a second time placed the fugitive Bourbon on the throne of France, it was the wish of all that that ruler should not, by the exercise of arbitrary power, endanger the tranquillity of Europe. Nevertheless, a fortnight after the restoration, an edict came out against thirty-eight individuals, banishing them from Paris, and placing them *en surveillance*, until their fate had undergone the decision of the French legislature. By that edict, the King not only violated the promise which he had solemnly given in the face of Europe, but he trampled under foot the provisions of that charter which he had volun-

tarily sworn to observe. Whether it was his love of revenge, or a wish to impress on the world the idea that an extensive conspiracy existed in France that induced the King to pursue this line of conduct I know not. If it was the former, it needs no comment—if it was the latter, I must say that no failure has ever been more complete or disgraceful. The French government had six months to establish their facts against these men—and that they spared no pains may easily be believed;—the parliament had been long assembled—almost all the proscribed had surrendered themselves, although they had every means of escaping; and the remainder, who took refuge beyond the French territories, had also declared their willingness to surrender themselves when a constitutional mode of trial was guaranteed to them. In this state of things what did the French government do? Unable, after all their attempts, to substantiate any thing against those individuals, which by the laws of their country would subject them to punishment, they pretended that the publicity of a trial would endanger the public tranquillity; and they demanded from the parliament of France a measure of proscription against them without allowing them to be heard in their defence. Even those men who were about to revive those feudal institutions, which, happily for France, were destroyed with the revolution, and who looked on any attempt to oppose the will of their sovereign as little better than sedition—even these ultra royalists viewed this proscription

with horror; and the King obtained the power wished for, on a promise of banishing those only who were most dangerous. The King obtained that power—but how did he use it? In the spirit of clemency? All those individuals were banished, and during three years not one had been allowed to return. That all of them deserved this severity I deny; many of them are in no other respect guilty than in having fought for their country in the field of battle, or served it in the cabinet, and many of them never even took part in any of those political events and changes which have so greatly agitated France during the last five and twenty years. These unfortunate men are now exiled from their country, and under the existing system of the continent, which the noble lord wishes to extend to this country, they find all hospitality cut off from them. Against these unfortunate men all Europe is leagued;—if one of them happens to be living in any corner of Switzerland, the Netherlands, the banks of the Rhine, or in any of the small states of Germany, he is seized by the police, treated as a felon, and handed over with every barbarity to the authorities; if one word of complaint escapes him, he is answered by the Treaty of Paris and the Holy Alliance, and is hurried off to the town alloted to him in Austria or Prussia, to be watched by spies:—such being the system of continental police, is it honourable or advantageous to England to contribute to support it? And that this is the object of this bill I cannot doubt, when I

see his Majesty's ministers, in the midst of a complete and uninterrupted peace, calling on the Houses of Parliament to suspend one of the dearest privileges of the Constitution—that which insures the liberty of all strangers visiting our shores—and, in addition to this, when I recollect that the noble lord has joined with the allied powers to drive those French exiles from any asylum they may have, either in Switzerland, the Netherlands, or the banks of the Rhine, and hand them over to their enemy, I can no longer doubt that the bill is but a pledge of the co-operation of England in measures which must inflict a stain on the national character. I implore the House to pause before it arms government with this power, which can only be exercised against those who have incurred the vengeance of foreign powers. For if it is not against such persons that this bill is directed—if it is not for the purpose of assisting foreign governments, it can then only be justified by an apprehension of danger to this country from the attempts of these men. Surely if our constitution is to be overturned by the machinations of thirty-eight men—outlaws from their country—fugitives without means of intimidation or corruption, it has indeed become unfit for the purposes which had been assigned to it by our ancestors. It has now become what I very much fear the noble lord wishes it to become—a constitution for show, and not for use—a constitution to be viewed at a distance as a fit object for speculative admiration, but one which in hours of doubt or danger is to be

abandoned as ineffective, and replaced by the more effectual—the more energetic—the more legitimate power of military despotism. I know not whether the condition of the French government will justify one or the other supposition; this I may without hazard assert, that if the majority of the people of France, or a considerable portion of them, are friends to the government now established there, it is ridiculous to suppose that a small number of exiles can endanger it. But if the people of that country universally think that their government is imposed on them by foreign arms—if they behold it as a monument erected by the pride of their victorious enemies on their degradation—if, in short, that government is despised and detested, is it then to be avowed that, for the purpose of sustaining the unwieldy fabric, for the erection of which we have already sacrificed 500 millions, it is necessary that we should sacrifice what, in my estimation, is far dearer to us—our rights, our constitution, and our honour? Under a despotic government the monarch alone answers for the demerits and dishonour of its acts, but in this country every act passed is justly considered as emanating from the people. As their representatives, this House is bound to reject every measure affecting their honour and character—every measure containing principles subversive of the laws of honour and justice. Such a measure is the one now before us, and as such, I call on the House, if it repent not of having shown its independence on a late occasion, also to show

its independence in a case where the honour of your constituents, the people of England, and the protection of the constitution demand, in a far greater degree, the same exertions. I shall therefore move as an amendment, "That the bill be read a second time this day six months."

SPEECH

OF

SIR SAMUEL ROMILLY, BARONET,

IN SUPPORT OF A PETITION

AGAINST A CLAUSE INTRODUCED BY THE LORDS INTO THE ALIEN ACT OF 1818.

HOUSE OF COMMONS—JUNE 5, 1818.

MR. SPEAKER,—I rise for the purpose of strongly supporting the petition. I cannot conceive it possible that the House, if it has the least regard to principle, if it is not determined to act in violation of all law and all justice, will not consent to appoint a committee for the investigation of the subject. Since I have had a seat in this House, I have never seen a petition of greater importance, considering the nature of it in itself, and considering the extraordinary doctrines which have been just advanced by the noble Secretary of State. The noble lord (*Castlereagh*) has said, that there is no occasion to refer the petition to a committee, because the House knows all the facts of the case. The House does not know the facts of the case. The noble lord himself does not know the facts of the case. His lordship has asserted, that if an alien bought and held stock of the bank of Scotland for twenty-four hours, he became entitled to all

the privileges of a natural born subject. How does the noble lord know that? Has the noble lord the act? If the noble lord is in possession of the act, it is a trick upon the House not to declare it; but the noble lord is quite mistaken, if he thinks the repeal of only one act necessary. It will be necessary to repeal no less than five acts of parliament. It is a mistake to suppose that the individuals in question are entitled to their claims by the Scotch act merely. They are entitled to them by acts of parliament passed by the British parliament. By an act of the Scotch parliament in 1695, the Bank of Scotland was created with a capital of £100,000. The exact terms of that act it is not in my power to state, for it is impossible, such is the haste of the advocates of the present measure to procure it. In 1774, however, it having been thought proper to increase the capital of the Bank of Scotland, an act was passed by the English parliament—the parliament of the United Kingdom of Great Britain —the act of the 14th of Geo. III. c. 32, increasing that capital to £200,000; and in the 17th section of that act, it is declared that the act of the Scotch parliament in 1695 shall remain in full force as to every particular, except so far as the same is altered by the act then passed, and that the provisions of that act of 1695 should operate with regard to the new stock, as they had operated with regard to the old;—in other words, that all purchasers of the new stock of the Bank of Scotland as of the old stock, should become naturalised sub-

jects. This was done five several times. In the 32d of Geo. III. another act was passed, farther increasing the capital of the Bank of Scotland, and in the 34th of Geo. III, another; both declaring that the act of 1695 should remain in full force in the particulars which I have already described. And yet, in the teeth of these repeated acts of parliament, the noble lord has asserted that the individuals in question have obtained their rights by fraud of an act of parliament? A most monstrous assertion! Does the noble lord—a minister of the Crown, high in the confidence of the Prince Regent,—mean to assert, that it is not perfectly justifiable in those persons to purchase the stock in question, in order to become naturalised? Why, it is the advantage held out in order to induce aliens to become proprietors of the Bank of Scotland stock.

When the Bank of Scotland was established, which was a year before the establishment by charter of the Bank of England, it was a boon offered to aliens to tempt them to become proprietors. This boon the individuals in question have accepted, and now the noble lord calls that acceptance a fraud on an act of parliament! To take it away would be a fraud on the part of parliament. Parliament has offered certain conditions to aliens; and when, relying on the faith of parliament, they accepted them, parliament withdraws its part of the consideration, and puts the alien purchaser in the situation of being compelled to sell the stock which he had purchased for a particular purpose, at the reduced price to which

it must necessarily be lowered. The noble lord has appealed to precedents and to past times; and especially to the reign of Queen Anne. Does the House recollect what was done in that reign? In the 7th of Anne it was enacted, that all Protestants were, on landing in this country, to become naturalised. (*Hear! from Lord Castlereagh.*) I know the meaning of the noble lord's cheer. The act of the 7th of Anne was thought inconvenient, and so it was repealed. But how was it repealed? Did the statesmen of that day dare to take away the privileges which had already been conferred? No. The bill was prospective in its enactments. Its operation was not to commence until after the passing of the act. Three months were allowed to foreign Protestants to come and take benefit of the law, by rendering themselves entitled to the privileges of natural born subjects. A thing so extravagant, so contrary to all law, so completely in violation of all justice, was never thought of before the time of the noble lord and his colleagues. And what is worse is, that it emanates from that branch of the legislature which is the supreme court of justice in the country — that it proceeds from men who fill the highest judicial offices—who took an oath to administer justice with impartiality. Those persons took indeed "a short cut," as the noble lord called it. They did not even venture to introduce the proposition in a bill, where it would have been repeatedly discussed, but took care that there should be only one question upon it, by making it

an addition to a bill already discussed. Much stress is frequently laid on the forms of parliament. Here all forms have been violated. The House of Commons sent to the House of Lords a bill continuing an existing law; the House of Lords returned it with the repeal of an existing law. And this they called an addition to the bill! By this proceeding they told the House of Commons, "either the bill to which you have agreed, shall not pass into a law at all, or it shall be accompanied by an amendment which we have added to it, and which is wholly alien to its original object." And this is done on the presumption, that the hurry at the close of a session, would prevent the House of Commons from having any alternative. A monstrous proceeding!

There is another view of the case which is most important. I do not profess to be very learned in the law of parliament, but unless I utterly mistake that law, I conceive that the House of Commons cannot consistently with its privileges agree to this amendment. For observe what is its effect. To subject a large number of persons to the alien duties. This is one part of its injustice. Another is the forfeiture of estates. Supposing among the forty-nine persons who have availed themselves of the act, there are some who have done so for the purpose of purchasing estates. Is the House aware, that the effect of this clause will be to make those persons forfeit the estates so purchased? If aware, will it be so regardless of

every principle of law and justice as to consent to the proposition? Reverting, however, to the law of parliament, I may observe that I have been looking into authorities to see how that law stands with respect to the circumstance to which I have recently adverted; and I find that the House of Commons has rejected amendments made by the House of Lords which were much more remotely connected with the privileges of the Commons with respect to money regulations than this clause by which alien duties are imposed. The last precedent in Mr. Hatchell's work is in 1791, when the House of Commons threw out a bill returned to them by the House of Lords, for regulating the distribution of rewards in cases of felony, because the House of Lords had diminished one of the rewards of £40. The House of Commons rejected this as an interference with their privileges. But how inferior an interference was it to the present, in which the House of Lords proposes to tax individuals? In 1787 the House of Lords made an amendment to a bill sent up to them from the House of Commons respecting Horsham gaol, which amendment was to the effect, that Horsham gaol should be repaired in the same manner as other gaols. On this the bill was thrown out by the House of Commons, because the amendment imposed on individuals the payment of money. It is one of the most important privileges of the House of Commons, and one which ought to be vigilantly guarded, to originate money bills, and I conceive

that the present is a case in which that privilege ought to be strongly asserted. The act respecting the stock of the Bank of Scotland is only one of many acts in which parliament has held out to aliens the advantage of becoming naturalised. Service by aliens in the fleet and the army, residence of aliens in the colonies at various periods, are by acts of parliament rewarded by conferring on them the privileges of natural born subjects. The noble lord, in justification of the retrospective character of the clause, has referred to the act by which actions against the clergy for non-residence were suspended. I do not conceive that that act was altogether justifiable, although there are circumstances which lessen the objections to it; but at any rate it ought to be remembered that it was not passed without hearing the individuals who were to be affected by it. I am sure that it little occurred to many honourable members, who agreed to that act, that it would be adduced as a precedent in a case like the present. Thus it is, that availing themselves of precedent after precedent, the noble lord and his colleagues proceed step by step to invade and destroy the liberties of the people.

I do not know what course the House is about to take on this subject, although I cannot help suspecting what that course will be—a course utterly unwarrantable to the individuals more immediately concerned, and utterly repugnant to the spirit of all parliamentary proceeding. Deeply involved as our privileges are in this question, yet as this parlia-

ment will in all probability be dissolved in a very short period, I fear its last act will be an act of signal injustice. Such, Sir, will be a fit close for the greater part of our proceedings. Apprehending that we are within a very few hours of the termination of our political existence, before the moment of dissolution arrives, let us recollect for what deeds we have to account. Let us recollect that we are the parliament which, for the first time in the history of this country, twice suspended the Habeas Corpus Act in a period of profound peace. Let us recollect that we are the confiding parliament which intrusted his Majesty's ministers with the authority emanating from that suspension, in expectation that when it was no longer wanted, they would call parliament together to surrender it into their hands—which those ministers did not do, although they subsequently acknowledged that the necessity for retaining that power had long ceased to exist. Let us recollect that we are the same parliament which consented to indemnify his Majesty's ministers for the abuses and violations of the law of which they had been guilty, in the exercise of the authority vested in them. Let us recollect that we are the same parliament which refused to inquire into the grievances stated in the numerous petitions and memorials with which our table groaned—that we turned a deaf ear to the complaints of the oppressed —that we even amused ourselves with their sufferings. Let us recollect that we are the same parliament which sanctioned the use of spies and

informers by the British government—debasing that government, once so celebrated for good faith and honour, into a condition lower in character than that of the ancient French police. Let us recollect that we are the same parliament which sanctioned the issuing of a Circular letter to the magistracy of the country, by a Secretary of State, urging them to hold persons to bail for libel before an indictment was found. Let us recollect that we are the same parliament which sanctioned the sending out of the opinion of the King's Attorney-General and the King's Solicitor-General, as the law of the land. Let us recollect that we are the same parliament which sanctioned the shutting of the ports of this once hospitable nation to unfortunate foreigners flying from persecution in their own country. This, Sir, is what we have done; and we are about to crown all by the present most violent and most unjustifiable act. Who our successors may be I know not; but God grant that this country may never see another parliament as regardless of the liberties and rights of the people, and of the principles of general justice as this parliament has been.

SPEECH

OF

THE RIGHT HON. SIR JAMES MACKINTOSH,

ON MOVING FOR

A COMMITTEE TO INQUIRE INTO THE STATE OF THE CRIMINAL LAW.

HOUSE OF COMMONS—MARCH 2, 1819.

MR. SPEAKER,—I now rise, in pursuance of the notice which I gave, to bring before the House a motion for the appointment of a Select Committee "to consider of so much of the Criminal Laws as relates to Capital Punishment in Felonies, and to report their observations and opinions thereon to the House." And I should have immediately proceeded to explain the grounds and objects of such a motion, which is almost *verbatim* the same as a resolution entered on the Journals in the year 1770, when authority was delegated to a committee for the same purpose,—I should have proceeded, I say, to state at once why I think such an inquiry necessary, had it not been for some concessions made by Lord Castlereagh last night, which tend much to narrow the grounds of difference between us, and to simplify the question before the House. If I considered the only subject of discussion to be that

which exists between the noble lord and myself, it would be reduced to this narrow compass; namely, whether the noble lord's proposal or mine be the more convenient for the conduct of the same inquiry; but as every member in this House is a party to the question, I must make an observation or two on the noble lord's statements.

If I understood him rightly, he confesses that the growth of crime, and the state of the Criminal Law in this country, call for investigation, and proposes that these subjects shall be investigated by a Select Committee; this I also admit to be the most expedient course. He expressly asserts also his disposition to make the inquiry as extensive as I wish it to be. As far, therefore, as he is concerned, I am relieved from the necessity of proving that an inquiry is necessary, that the appointment of a Select Committee is the proper course of proceeding in it, and that such inquiry ought to be extensive. I am thus brought to the narrower question, whether the committee of the noble lord, or that which I propose, be the more convenient instrument for conducting an inquiry into the special subject to which my motion refers? I shall endeavour briefly to show, that the mode of proceeding proposed by him, although embracing another and very fit subject of inquiry, must be considered as precluding an inquiry into that part of the Criminal Law which forms the subject of my motion, for two reasons.

In the first place, Sir, it is physically impossible; and, having stated that, I may perhaps dispense

with the necessity of adding more. We have heard from my honourable friend, Mr. Henry Grey Bennet, whose authority is the highest that can be resorted to on this subject, that an inquiry into the state of two or three gaols occupied a committee during a whole session. My honourable friend Alderman Waithman has stated that an inquiry into the state of the prisons of the Metropolis, occupied during a whole session the assiduous committee over which he presided. When, therefore, the noble lord refers to one committee not only the state of the Criminal Law, but that of the gaols, of transportation, and of that little adjunct the hulks, he refers to it an inquiry which it can never conduct to an end; he proposes, as Mr. Bennet has said, to institute an investigation which must outlive a parliament. The noble lord has in fact acknowledged, by his proposed subdivision, that it would be impossible for one committee to inquire into all the subjects which he would refer to it. And this impossibility he would evade by an unconstitutional violation of the usages of the House; as you, Sir, with the authority due to your opinions, have declared the proposition for subdividing a committee to be. I, on the other hand, in accordance with ancient usage, propose that the House shall itself nominate these separate committees.

My second objection is, Sir, that the noble lord's notice, and the order made by the House yesterday upon it, do not embrace the purpose which I have in view. To prove this, I might content myself

with a reference to the very words of the instruction under which his proposed committee is to proceed. It is directed "to inquire into the state and description of gaols, and other places of confinement, and into the best method of providing for the reformation, as well as for the safe custody and punishment of offenders." Now, what is the plain meaning of those expressions? Are they not the same offenders, whose punishment as well as whose reformation and safe custody is contemplated? And does not the instruction thus directly exclude the subject of Capital Punishment? The matter is too plain to be insisted on; but must not the meaning, in any fair and liberal construction, be taken to be that the committee is to consider the reformation and safe custody of those offenders of whom imprisonment forms the whole or the greatest part of the punishment? It would be absurd to suppose that the question of Capital Punishment should be made an inferior branch of the secondary question of imprisonments, and that the great subject of Criminal Law should skulk into the committee under the cover of one vague and equivocal word. On these grounds, Sir, I have a right to say that there is no comparison as to the convenience or the efficacy of the two modes of proceeding.

Let us now see whether my proposition casts a greater censure on the existing laws than his. Every motion for inquiry assumes that inquiry is necessary,—that some evil exists which may be remedied. The motion of the noble lord assumes

thus much: mine assumes no more; it casts no reflection on the law, or on the magistrates by whom it is administered.

With respect to the question whether Secondary Punishments should be inquired into before we dispose of the Primary, I have to say, that in proposing the present investigation, I have not been guided by my own feelings, nor have I trusted entirely to my own judgment. My steps have been directed and assured by former examples.

The first of these is the notable one in 1750, when, in consequence of the alarm created by the increase of some species of crimes, a committee was appointed "to examine into and consider the state of the laws relating to felonies, and to report to the House their opinion as to the defects of those laws, and as to the propriety of amending or repealing them." What does the noble lord say to this large reference,—this ample delegation,—this attack on the laws of our ancestors? Was it made in bad times, by men of no note, and of indifferent principles? I will mention the persons of whom the committee was composed:—they were, Mr. Pelham, then Chancellor of the Exchequer; Mr. Pitt, afterwards Lord Chatham; Mr. George Grenville, afterwards Lord Grenville; Mr. Lyttleton and Mr. Charles Townsend, afterwards Secretaries of State; and Sir Dudley Ryder, the Attorney-General, afterwards Chief Justice of England. Those great lawyers and statesmen will, at least, not be accused of having been rash theorists, or, according to the

new word, " ultra-philosophers." But it will be thought remarkable that those great men, who were, in liberality, as superior to some statesmen of the present day, as in practical wisdom they were not inferior to them, found two sessions necessary for the inquiry into which they had entered. The first resolution to which those eminent and enlightened individuals agreed, was, " that it was reasonable to exchange the punishment of death for some other adequate punishment." Such a resolution is a little more general and extensive than that which I shall venture to propose;—such a resolution, however, did that committee, vested with the powers which I have already described, recommend to the adoption of the House. One circumstance, not necessarily connected with my present motion, I will take the liberty of mentioning:—to that committee the credit is due of having first denounced the Poor-laws as the nursery of crime. In this country pauperism and crime have always advanced in parallel lines, and with equal steps. That committee imputed much evil to the divisions among parishes on account of the maintenance of the poor. That committee, too, composed of practical men as it was, made a statement which some practical statesmen of the present day will no doubt condemn as too large;—namely, " that the increase of crime was in a great measure to be attributed to the neglect of the education of the children of the poor." A bill was brought in, founded on the resolutions of the committee, and passed this House.

It was however negatived in the House of Lords, although not opposed by any of the great names of that day,—by any of the luminaries of that House. Lord Hardwicke, for instance, did not oppose a bill, the principal object of which was the substitution of hard labour and imprisonment for the punishment of death.

In 1770, another alarm, occasioned by the increase of a certain species of crime, led to the appointment, on the 27th of November in that year, of another committee of the same kind, of which Sir Charles Saville, Sir William Meredith, Mr. Fox, Mr. Serjeant Glynn, Sir Charles Bunbury, and others, were members. To that committee the reference was nearly the same as that which I am now proposing; though mine be the more contracted one. That committee was occupied for two years with the branch of the general inquiry which the noble lord proposes to add to the already excessive labours of an existing committee. In the second session they brought their report to maturity; and, on that report a bill was introduced for the repeal of eight or ten statutes, which bill passed the House of Commons without opposition. I do not mean to enter into the minute history of that bill which was thrown out in the House of Lords. It met with no hostility from the great ornaments of the House of Lords of that day, Lord Camden and Lord Mansfield; but it was necessarily opposed by others, whom I will not name, and whose names will be unknown to posterity.

Sir, it is upon these precedents that I have formed, and that I bring forward my motion. I have shown that the step I proposed to take accords with the usage of parliament in the best of times, but that if we follow the plan recommended by the noble lord, we cannot effect the purpose which we have in view without evading or violating the usage of parliament. Accepting, therefore, his concession, that a committee ought to be appointed for this investigation, here I might take my stand, and challenge him to drive me from this ground, which, with all his talents, he would find some difficulty in doing. But I feel that there is a great difference between our respective situations; and that, although he last night contented himself with stating the evils which exist, without adverting to the other essential part of my proposal for a parliamentary inquiry,—namely, the probability of a remedy,—I must take a different course. Although I cannot say that I agree with my honourable friend, who says that a Select Committee is not the proper mode of investigating this subject, yet I agree with him that there are two things necessary to justify an investigation, whether by a committee, or in any other manner; —the first is, the existence of an evil, the second is, the probability of a remedy. Far, therefore, from treating the sacred fabric reared by our ancestors more lightly, I approach it more reverently than does the noble lord. I should not have dared, merely on account of the number of offences, to institute an inquiry into the state of the Criminal

Law, unless, while I saw the defects, I had also within view, not the certainty of a remedy (for that would be too much to assert,) but some strong probability, that the law may be rendered more efficient, and a check be given to that which has alarmed all good men—the increase of crime. While I do what I think it was the bounden duty of the noble lord to have done, I trust I shall not be told that I am a rash speculator,—that I am holding out impunity to criminals, for foreshadowing what he is pleased to call "a golden age for crime." Sir Dudley Ryder, at the head of the criminal jurisprudence of the country, and Serjeant Glynn, the Recorder of London,—an office that unhappily has the most extensive experience of the administration of Criminal Law in the world,—both believed a remedy to the evil in question to be practicable, and recommended it as necessary; and under any general reprobation which the noble lord may apply to such men, I shall not be ashamed to be included.

I must now, Sir, mention what my object is not, in order to obviate the misapprehensions of over-zealous supporters, and the misrepresentations of desperate opponents. I do not propose to form a new criminal code. Altogether to abolish a system of law, admirable in its principle, interwoven with the habits of the English people, and under which they have long and happily lived, is a proposition very remote from my notions of legislation, and would be too extravagant and ridiculous to be for a moment listened to. Neither is it my intention to

propose the abolition of the punishment of death. I hold the right of inflicting that punishment to be a part of the rights of self-defence, with which society as well as individuals are endowed. I hold it to be, like all other punishments, an evil when unnecessary, but, like any other evil employed to remedy a greater evil, capable of becoming a good. Nor do I wish to take away the right of pardon from the Crown. On the contrary, my object is, to restore to the Crown the practical use of that right, of which the usage of modern times has nearly deprived it.

The declaration may appear singular, but I do not aim at realising any universal principle. My object is, to bring the letter of the law more near to its practice,—to make the execution of the law form the rule, and the remission of its penalties the exception. Although I do not expect that a system of law can be so graduated, that it can be applied to every case without the intervention of a discretionary power, I hope to see an effect produced on the vicious by the steady manner in which the law shall be enforced. The main part of the reform which I should propose would be, to transfer to the statute book the improvements which the wisdom of modern times has introduced into the practice of the law. But I must add, that even in the case of some of that practice with which the feelings of good men are not in unison, I should propose such a reform as would correct that anomaly. It is one of the greatest evils which can befall a country

when the Criminal Law and the virtuous feeling of the community are in hostility to each other. They cannot be long at variance without injury to one,—perhaps to both. One of my objects is to approximate them;—to make good men the anxious supporters of the Criminal Law, and to restore, if it has been injured, that zealous attachment to the law in general, which, even in the most tempestuous times of our history, has distinguished the people of England among the nations of the world.

Having made these few general remarks, I will now, Sir, enter into a few illustrative details. It is not my intention to follow the noble lord in his inquiry into the causes of the increase of crimes. I think that his statement last night was in the main just and candid. I agree with him that it is consolatory to remark, that the crimes in which so rapid an increase has been observable, are not those of the blackest dye, or of the most ferocious character; that they are not those which would the most deeply stain and dishonour the ancient moral character of Englishmen; that they are crimes against property alone, and are to be viewed as the result of the distresses, rather than of the depravity of the community. I also firmly believe, that some of the causes of increased crime are temporary. But the noble lord and I, while we agree in this proposition, are thus whimsically situated:—he does not think that some of these causes are temporary which I conceive to be so; while, on the other hand, he sets down some as temporary, which I believe to be permanent.

As to the increase of forgery, for example (which I mention only by way of illustration), I had hoped that when cash payments should be restored, that crime would be diminished. But the noble lord has taken pains to dissipate that delusion, by asserting that the withdrawal of such a mass of paper from circulation would be attended with no such beneficial consequences. According to him, the progress of the country in manufactures and wealth, is one of the principal causes of crime. But is our progress in manufactures and wealth to be arrested? Does the noble lord imagine, that there exists a permanent and augmenting cause of crime,—at once increasing with our prosperity, and undermining it through its effects on the morals of the people. According to him, the increase of great cities would form another cause of crime. This cause, at least, cannot diminish, for great cities are the natural consequences of manufacturing and commercial greatness. In speaking, however, of the population of London, he has fallen into an error. Although London is positively larger now than it was in 1700, it is relatively smaller:—although it has since that time become the greatest commercial city in Europe,—the capital of an empire whose colonies extend over every quarter of the world,—London is not so populous now, with reference to the population of the whole kingdom, as it was in the reign of William III.

It is principally to those causes of crime, which arise out of errors in policy or legislation, that I

wish to draw the attention of parliament. Among other subjects, it may be a question whether the laws for the protection of the property called 'game,' have not created a clandestine traffic highly injurious to the morals of the labouring classes. I am happy to find that that subject is to be taken up by the honourable Thomas Brand, who will draw to it the attention which every proposition of his deserves. A smuggling traffic of another species, although attended with nearly the same effects, has been fostered by some of the existing laws relating to the revenue. I would propose no diminution of revenue, for unfortunately we can spare none: but there are some taxes which produce no revenue, and which were never intended to produce any, but which are, nevertheless, very detrimental. The cumbrous system of drawbacks, and protecting duties, is only a bounty on smuggling. Poachers and smugglers are the two bodies from which malefactors are principally recruited. The state which does not seek to remedy these diseases, is guilty of its own destruction.

Another subject I must mention: for, viewing it as I do, it would be unpardonable to omit it. On examining the summary of crimes which has been laid on the table, it appears that it was in 1808 that the great increase of crime took place. The number of crimes since that time has never fallen below the number of that year; although subsequent years have varied among one another. But it is extremely remarkable, and is, indeed a most

serious and alarming fact, that the year 1808 was precisely the period when the great issues of the Bank of England began. As it has been observed in the "Letter to the right honourable Sir Robert Peel," a work which has been already mentioned in this House, (the author of which, although he has concealed his name, cannot conceal his talents, and his singular union of ancient learning with modern science,) it was at that time that pauperism and poor rates increased. Pauperism and crime, as I have before said, go hand in hand. Both were propelled by the immense issues of Bank paper in 1808. By those issues the value of the one-pound note was reduced to fourteen shillings. Every labourer, by he knew not what mysterious power,—by causes which he could not discover or comprehend,—found his wages diminished at least in the proportion of a third. No enemy had ravaged the country: no inclement season had blasted the produce of the soil; but his comforts were curtailed, and his enjoyments destroyed by the operation of the paper system,—which was to him like the workings of a malignant fiend, that could be traced only in their effects. Can any one doubt that this diminution of the income of so many individuals, from the highest to the lowest classes of society, was one of the chief sources of the increase of crime?

There is one other secondary cause of crime, which I hope we have at length seriously determined to remove;—I mean the state of our prisons.

They never were fitted for reformation by a wise system of discipline: but that is now become an inferior subject of complaint. Since the number of criminals have outgrown the size of our prisons, comparatively small offenders have been trained in them to the contemplation of atrocious crime. Happily this terrible source of evil is more than any other within our reach. Prison discipline may fail in reforming offenders: but it is our own fault if it further corrupts them.

But the main ground which I take is this,—that the Criminal Law is not so efficacious as it might be, if temperate and prudent alterations in it were made. It is well known that there are two hundred capital felonies on the statute book; but it may not be so familiar to the House, that by the Returns for London and Middlesex, it appears that from 1749 to 1819, a term of seventy years, there are only twenty-five sorts of felonies for which any individuals have been executed. So that there are a hundred and seventy-five capital felonies respecting which the punishment ordained by various statutes has not been inflicted. In the thirteen years since 1805, it appears that there are only thirty descriptions of felonies on which there have been any capital convictions throughout England and Wales. So that there are a hundred and seventy felonies created by law, on which not one capital conviction has taken place. This rapidly increasing discordance between the letter and the practice of the Criminal Law, arose in the best

times of our history, and, in my opinion, out of one of its most glorious and happy events. As I take it, the most important consequence of the Revolution of 1688, was the establishment in this country of a parliamentary government. That event, however, has been attended by one inconvenience—the unhappy facility afforded to legislation. Every member of parliament has had it in his power to indulge his whims and caprices on that subject; and if he could not do any thing else, he could create a capital felony! The anecdotes which I have heard of this shameful and injurious facility, I am almost ashamed to repeat. Mr. Burke once told me, that on a certain occasion, when he was leaving the House, one of the messengers called him back, and on his saying that he was going on urgent business, replied, "Oh! it will not keep you a single moment, it is only a felony without benefit of clergy!" He also assured me, that although, as may be imagined, from his political career, he was not often entitled to ask favour from the ministry of the day, he was persuaded that his interest was at any time good enough to obtain their assent to the creation of a felony without benefit of clergy. This facility of granting an increase of the severity of the law to every proposer, with the most impartial disregard of political considerations,—this unfortunate facility, arose at a time when the humane feelings of the country were only yet ripening amidst the diffusion of knowledge. Hence originated the final separation between the letter and the

practice of the law; for both the government and the nation revolted from the execution of laws which were regarded, not as the results of calm deliberation or consummate wisdom, but rather as the fruit of a series of perverse and malignant accidents, impelling the adoption of temporary and short-sighted expedients. The reverence, therefore, generally due to old establishments, cannot belong to such laws.

This most singular, and most injurious opposition of the legislative enactments, and their judicial enforcement, has repeatedly attracted the attention of a distinguished individual, who unites in himself every quality that could render him one of the greatest ornaments of this House, and whom, as he is no longer a member, I may be permitted to name, —I mean Sir William Grant,—a man who can never be mentioned by those who know him without the expression of their admiration—a man who is an honour, not merely to the profession which he has adorned but to the age in which he lives—a man who is at once the greatest master of reason and of the power of enforcing it,—whose sound judgment is accompanied by the most perspicuous comprehension, — whose views, especially on all subjects connected with legislation, or the administration of the law, are directed by the profoundest wisdom,—whom no one ever approaches without feeling his superiority,—who only wants the two vices of ostentation and ambition (vices contemned by the retiring simplicity and noble modesty of his

nature) to render his high talents and attainments more popularly attractive. We have his authority for the assertion, that the principle of the Criminal Law is diametrically opposite to its practice. On one occasion particularly, when his attention was called to the subject, he declared it to be impossible "that both the law and the practice could be right; that the toleration of such discord was an anomaly that ought to be removed; and that as the law might be brought to an accordance with the practice, but the practice could never be brought to an accordance with the law, the law ought to be altered for a wiser and more humane system." At another time, the same eminent individual used the remarkable expression, "that during the last century, there had been a general confederacy of prosecutors, witnesses, counsel, juries, judges, and the advisers of the Crown, to prevent the execution of the Criminal Law." Is it fitting that a system should continue which the whole body of the intelligent community combine to resist, as a disgrace to our nature and nation?

Sir, I feel that I already owe much to the indulgence of the House, and I assure you that I shall be as concise as the circumstances of the case, important as it confessedly is, will allow; and more especially in the details attendant upon it. The noble lord last night dwelt much upon the consequences of a transition from war to peace in the multiplication of crimes; but upon consulting experience, I do not find that his position is borne out. It is not true

that crime always diminishes during a state of war, or that it always increases after its conclusion. In the Seven Years' War, indeed, the number of crimes was augmented,—decreasing after its termination. They were more numerous in the seven years preceding the American War, and continued to advance, not only during those hostilities, but, I am ready to admit, after the restoration of peace. It is, however, quite correct to state, that there was no augmentation of crime which much outran the progress of population until within about the last twenty, and more especially within the last ten years; and that the augmentation which has taken place is capable of being accounted for, without any disparagement to the ancient and peculiar probity of the British character.

As to the variations which have taken place in the administration of the law, with respect to the proportion of the executions to the convictions, some of them have certainly been remarkable. Under the various administrations of the supreme office of the law, down to the time of Lord Thurlow, the proportion of executions to convictions was for the most part uniform. Lord Rosslyn was the first Chancellor under whose administration a great diminution of executions, as compared with convictions, is to be remarked; and this I must impute, not only to the gentle disposition of that distinguished lawyer, but to the liberality of those principles which, however unfashionable they may now have become, were entertained by his early con-

nexions. Under Lord Rosslyn's administration of the law, the proportion of executions was diminished to one in eight, one in nine, and finally as low as one in eleven.

But, Sir, to the noble lord's argument, grounded on the diminution in the number of executions, I wish to say a few words. If we divide crimes into various sorts, separating the higher from the inferior offences, we shall find, that with respect to the smaller felonies, the proportion of executions to convictions has been one in twenty, one in thirty, and in one year, only one in sixty. In the higher felonies (with the exception of burglary and robbery, which are peculiarly circumstanced) the law has been uniformly executed. The noble lord's statement, therefore, is applicable only to the first-mentioned class; and a delusion would be the result of its being applied unqualifiedly to the whole criminal code.

For the sake of clearness, I will divide the crimes against which our penal code denounces capital punishment into three classes. In the first of these I include murder, and murderous offences, or such offences as are likely to lead to murder, such as shooting or stabbing, with a view to the malicious destruction of human life:—in these cases the law is invariably executed. In the second class appear arson, highway-robbery, piracy, and other offences, to the number of nine or ten, which it is not necessary, and which it would be painful, to specify:—on these, at present, the law is carried

into effect in a great many instances. In these two first divisions I will admit, for the present, that it would be unsafe to propose any alteration. Many of the crimes comprehended in them ought to be punished with death. Whatever attacks the life or the dwelling of man deserves such a punishment; and I am persuaded that a patient and calm investigation would remove the objections of a number of well-meaning persons who are of a contrary opinion.

But looking from these offences at the head of the criminal code to the other extremity of it, I there find a third class of offences—some connected with frauds of various kinds, but others of the most frivolous and fantastic description,—amounting in number to about one hundred and fifty, against which the punishment of death is still denounced by the law, although never carried into effect. Indeed, it would be most absurd to suppose that an execution would in such cases be now tolerated, when one or two instances even in former times excited the disgust and horror of all good men. There can be no doubt—even the noble lord, I apprehend, will not dispute—that such capital felonies should be expunged from our Statute Book as a disgrace to it. Can any man think, for instance, that such an offence as that of cutting down a hop vine or a young tree in a gentleman's pleasure ground should remain punishable with death? The "Black Act," as it is called, alone created about twenty-one capital felonies,—some of them of the most absurd

description. Bearing particular weapons,—having the face blackened at night,—and being found disguised upon the high road,—were some of them. So that if a gentleman is going to a masquerade, and is obliged to pass along a highway, he is liable, if detected, to be hanged without benefit of clergy! Who, again, can endure the idea that a man is exposed to the punishment of death for such an offence as cutting the head of a fish-pond? Sir, there are many more capital felonies of a similar nature, which are the relics of barbarous times, and which are disgraceful to the character of a thinking and enlightened people. For such offences punishments quite adequate and sufficiently numerous would remain. It is undoubtedly true, that for the last seventy years no capital punishment has been inflicted for such offences; the statutes denouncing them are therefore needless. And I trust I shall never live to see the day when any member of this House will rise and maintain that a punishment avowedly needless ought to be continued.

The debateable ground on this subject is afforded by a sort of middle class of offences, consisting of larcenies and frauds of a heinous kind, although not accompanied with violence and terror. It is no part of my proposal to take away the discretion which is reposed in the judicial authorities respecting these offences. Nothing in my mind would be more imprudent than to establish an undeviating rule of law,—a rule that in many cases would have a more injurious and unjust operation than can easily be

imagined. I do not therefore propose in any degree to interfere with the discretion of the judges, in cases in which the punishment of death ought, under certain aggravated circumstances, to attach, but only to examine whether or not it is fit that death should remain as the punishment expressly directed by the law for offences, which in its administration are never, even under circumstances of the greatest aggravation, more severely punished than with various periods of transportation.

It is impossible to advert to the necessity of reforming this part of the law, without calling to mind the efforts of that highly distinguished and universally lamented individual, by whom the attention of parliament was so often roused to the subject of our penal code. Towards that excellent man I felt all the regard which a friendship of twenty years' duration naturally inspired, combined with the respect which his eminently superior understanding irresistibly claimed. But I need not describe his merits; to them ample justice has been already done by the unanimous voice of the empire, seconded by the opinion of all the good men of all nations,—and especially by the eulogium of Mr. Wilberforce, whose kindred virtues and kindred eloquence enable him justly to appreciate the qualities of active philanthropy and profound wisdom. I trust the House will bear with me if, while touching on this subject, I cannot restrain myself from feebly expressing my admiration for the individual by whose benevolent exertions it has been conse-

crated. There was, it is well known, an extraordinary degree of original sensibility belonging to the character of my lamented friend, combined with the greatest moral purity, and inflexibility of public principle; but yet, with these elements, it is indisputably true, that his conduct as a statesman was always controlled by a sound judgment, duly and deliberately weighing every consideration of legislative expediency and practical policy. This was remarkably shown in his exertions respecting the criminal code. In his endeavours to rescue his country from the disgrace arising out of the character of that code, he never indulged in any visionary views;—he was at once humane and just,—generous and wise. With all that ardour of temperament with which he unceasingly pursued the public good, never was there a reformer more circumspect in his means,—more prudent in his end;—and yet all his propositions were opposed. In one thing, however, he succeeded,—he redeemed his country from a great disgrace, by putting a stop to that career of improvident and cruel legislation, which, from session to session was multiplying capital felonies. Sir, while private virtue and public worth are distinguished among men, the memory of Sir Samuel Romilly will remain consecrated in the history of humanity. According to the views of my lamented friend, the punishment of death ought not to attach by law to any of those offences for which transportation is a sufficient punishment, and for which, in the ordinary administration of the law by the

judges, transportation alone is inflicted. In that view I entirely concur.

I will not now enter into any discussion of the doctrine of Dr. Paley with respect to the expediency of investing judges with the power of inflicting death even for minor offences, where, in consequence of the character of the offence and of the offender, some particular good may appear to be promised from the example of such a punishment on a mischievous individual. The question is, whether the general good derived by society from the existence of such a state of the law is so great as to exceed the evil. And I may venture to express my conviction, that the result of such an inquiry as that which I propose will be to show, that the balance of advantage is decidedly against the continuance of the existing system. The late Lord Chief Justice of the Common Pleas, Sir Vicary Gibbs, whose authority is undoubtedly entitled to great consideration in discussing this question, expressed an opinion that if the punishment of death for certain crimes were inflicted only in one case out of sixty, yet that the chance of having to undergo such a punishment must serve to impose an additional terror on the ill-disposed, and so operate to prevent the commission of crime. But I, on the contrary, maintain that such a terror is not likely to arise out of this mode of administering the law. I am persuaded that a different result must ensue; because this difference in the punishment of the same offence must naturally encourage a calculation in the mind of a person

disposed to commit crime, of the manifold chances of escaping its penalties. It must also operate on a malefactor's mind in diminution of the terrors of transportation. Exulting at his escape from the more dreadful infliction, joy and triumph must absorb his faculties, eclipsing and obscuring those apprehensions and regrets with which he would otherwise have contemplated the lesser penalty, and inducing him, like Cicero, to consider exile as a refuge rather than as a punishment. In support of this opinion, I will quote the authority of one who, if I cannot describe him as an eminent lawyer, all will agree was a man deeply skilled in human nature, as well as a most active and experienced magistrate,—I allude to the celebrated Henry Fielding. In a work of his, published at the period when the first parliamentary inquiry of this nature was in progress, intituled 'A Treatise on the Causes of Crime,' there is this observation:—"A single pardon excites a greater degree of hope in the minds of criminals than twenty executions excite of fear." Now this argument I consider to be quite analogous to that which I have just used with reference to the opinion of the late Chief Justice of the Common Pleas, because the chance of escape from death, in either case, is but too apt to dislodge all thought of the inferior punishments.

But, Sir, another most important consideration is, the effect which the existing system of law has in deterring injured persons from commencing prosecutions, and witnesses from coming forward in

support of them. The chances of escape are thus multiplied by a system which, while it discourages the prosecutor, increases the temptations of the offender. The better part of mankind, in those grave and reflecting moments which the prosecution for a capital offence must always bring with it, frequently shrink from the task imposed on them. The indisposition to prosecute while the laws continue so severe is matter of public notoriety. This has been evinced in various cases. It is not long since an act of George II., for preserving bleaching grounds from depredation, was repealed on the proposition of Sir Samuel Romilly, backed by a petition from the proprietors of those grounds, who expressed their unwillingness to prosecute while the law continued so severe, and who represented that by the impunity thus given to offenders, their property was left comparatively unprotected. An eminent city banker has also been very recently heard to declare in this House that bankers frequently declined to prosecute for the forgery of their notes in consequence of the law which denounced the punishment of death against such an offence. It is notorious that the concealment of a bankrupt's effects is very seldom prosecuted, because the law pronounces that to be a capital offence: it is undoubtedly, however, a great crime, and would not be allowed to enjoy such comparative impunity were the law less severe.

There is another strong fact on this subject, to which I may refer, as illustrating the general im-

pression respecting the Criminal Law ;—I mean the Act which was passed in 1812, by which all previous enactments of capital punishments for offences against the revenue not specified in it were repealed. That Act I understand was introduced at the instance of certain officers of the revenue. And why ?—but because from the excessive severity of the then existing revenue laws, the collectors of the revenue themselves found that they were utterly inefficient. But I have the highest official authority to sustain my view of the criminal code. I have the authority of the late Chief Baron of the Exchequer, Sir Archibald Macdonald, who, when he held the office of Attorney-General, which he discharged with so much honour to himself, and advantage to the country, distinctly expressed his concurrence in the opinion of Lord Bacon that great penalties deadened the force of the laws.

The House will still bear in mind, that I do not call for the entire abolition of the punishment of death, but only for its abolition in those cases in which it is very rarely, and ought never to be, carried into effect. In those cases I propose to institute other, milder, but more invariable punishments. The courts of law should, in some cases, be armed with the awful authority of taking away life; but in order to render that authority fully impressive, I am convinced that the punishment of death should be abolished where inferior punishments are not only applicable, but are usually applied. Nothing indeed can, in my opinion, be

more injurious than the frequency with which the sentence of death is at the present time pronounced from the judgment-seat, with all the solemnities prescribed on such an occasion, when it is evident, even to those against whom it is denounced, that it will never be carried into effect. Whenever that awful authority,—the jurisdiction over life and death, is disarmed of its terrors by such a formality, the law is deprived of its beneficent energy, and society of its needful defence.

Sir William Grant, in a report of one of his speeches which I have seen, observes, "that the great utility of the punishment of death consists in the horror which it is naturally calculated to excite against the criminal; and that all penal laws ought to be in unison with the public feeling; for that when they are not so, and especially when they are too severe, the influence of example is lost, sympathy being excited towards the criminal, while horror prevails against the law." Such indeed was also the impression of Sir William Blackstone, of Mr. Fox, and of Mr. Pitt. It is also the opinion of Lord Grenville, expressed in a speech as distinguished for forcible reasoning, profound wisdom, and magnificent eloquence, as any that I have ever heard.

It must undoubtedly happen, even in the best regulated conditions of society, that the laws will be sometimes at variance with the opinions and feelings of good men. But that, in a country like Great Britain, they should remain permanently in a state

not less inconsistent with obvious policy than with the sentiments of all the enlightened and respectable classes of the community, is indeed scarcely credible. I should not be an advocate for the repeal of any law because it happened to be in opposition to temporary prejudices; but I object to the laws to which I have alluded, because they are inconsistent with the deliberate and permanent opinion of the public. In all nations an agreement between the laws and the general feeling of those who are subject to them is essential to their efficacy: but this agreement becomes of unspeakable importance in a country in which the charge of executing the laws is committed in a great measure to the people themselves.

"I know not how to contemplate, without serious apprehension, the consequences that may attend the prolongation of a system like the present. It is my anxious desire to remove, before they become insuperable, the impediments that are already in the way of our civil government. My object is to make the laws popular,—to reconcile them with public opinion, and thus to redeem their character. It is to render the execution of them easy,—the terror of them overwhelming,—the efficacy of them complete,—that I implore the House to give to this subject their most grave consideration. I beg leave to remind them, that Sir William Blackstone has already pointed out the indispensable necessity under which juries frequently labour of committing, in estimating the value of stolen property, what he calls "pious perjuries." The resort to this prac-

tice in one of the wisest institutions of the country, so clearly indicates the public feeling, that to every wise statesman it must afford an instructive lesson. The just and faithful administration of the law in all its branches is the great bond of society,—the point at which authority and obedience meet most nearly. If those who hold the reins of government, instead of attempting a remedy, content themselves with vain lamentations at the growth of crime,—if they refuse to conform the laws to the opinions and dispositions of the public mind, that growth must continue to spread among us a just alarm.

With respect to petitions upon this subject, I have reason to believe that, in a few days, many will be presented from a body of men intimately connected with the administration of the Criminal Law,—I mean the magistracy of the country,—praying for its revision. Among that body I understand that but little difference of opinion prevails, and that when their petitions shall be presented, they will be found subscribed by many of the most respectable individuals in the empire as to moral character, enlightened talent, and general consideration. I did not, however, think it right to postpone my motion for an inquiry so important until those petitions should be actually laid on the table. I should, indeed, have felt extreme regret if the consideration of this question had been preceded by petitions drawn up and agreed to at popular and tumultuary assemblies. No one can be more unwilling than myself to see any proceeding that can in the slightest

degree interfere with the calm, deliberate, and dignified consideration of parliament, more especially on a subject of this nature.

The petition from the City of London, however, ought to be considered in another light, and is entitled to peculiar attention. It proceeds from magistrates accustomed to administer justice in a populous metropolis, and who necessarily possess very great experience. It proceeds from a body of most respectable traders—men peculiarly exposed to those depredations against which Capital Punishment is denounced. An assembly so composed, is one of weight and dignity; and its representations on this subject are entitled to the greater deference, inasmuch as the results of its experience appear to be in direct opposition to its strongest prejudices. The first impulse of men whose property is attacked, is to destroy those by whom the attack is made: but the enlightened traders of London perceive, that the weapon of destruction which our penal code affords, is ineffective for its purpose; they therefore, disabusing themselves of vulgar prejudice, call for the revision of that code.

Another petition has been presented to the House which I cannot pass over without notice: I allude to one from that highly meritorious and exemplary body of men—the Quakers. It has, I think, been rather hardly dealt by; and has been described as containing very extravagant recommendations; although the prayer with which it concludes is merely for such a change in the

Criminal Law as may be consistent with the ends of justice. The body of the petition certainly deviates into a speculation as to the future existence of some happier condition of society, in which mutual goodwill may render severe punishments unnecessary. But this is a speculation in which, however unsanctioned by experience, virtuous and philosophical men have in all ages indulged themselves, and by it have felt consoled for the evils by which they have been surrounded. The hope thus expressed, has exposed these respectable petitioners to be treated with levity; but they are much too enlightened not to know that with such questions statesmen and lawyers, whose arrangements and regulations must be limited by the actual state and the necessary wants of a community, have no concern. And while I make these remarks, I cannot but request the House to recollect what description of people it is to whom I apply them,—a people who alone of all the population of the kingdom send neither paupers to your parishes, nor criminals to your gaols,—a people who think a spirit of benevolence an adequate security to mankind (a spirit which certainly wants but the possibility of its being universal to constitute the perfection of our nature)—a people who have ever been foremost in undertaking and promoting every great and good work,—who were among the first to engage in the abolition of the slave trade, and who, by their firm yet modest perseverance, paved the way for the accomplishment of that incalculable benefit to

humanity. Recollecting all this, and recollecting by whom this petition was presented to the House, (*Mr. Wilberforce,*) I consider it to be entitled to anything but disrespect. The aid of such a body must always be a source of encouragement to those who are aiming at any amelioration of the condition of human beings; and on this occasion it inspires me, not only with perfect confidence in the goodness of my cause, but with the greatest hopes of its success.

SPEECH

OF

VISCOUNT CASTLEREAGH,

ON INTRODUCING

THE CELEBRATED SIX ACTS AGAINST SEDITIOUS MEETINGS, &c.

HOUSE OF COMMONS—NOV. 29, 1819.

MR. SPEAKER,—In rising, pursuant to notice, to call the attention of the House to the state of the country, as described in the passages which have just been read from his royal highness the Prince Regent's most gracious speech, I confess that I never felt a more awful impression of the painfulness and difficulty of any task I ever had to execute. It is painful, for what can give greater pain to a minister of the crown than to be required by an imperative sense of duty to propose to parliament the adoption of measures of a restrictive and coercive nature? It is difficult—for while the House, the country, and every loyal British subject are entitled in the present serious crisis—a crisis, indeed, of imminent danger, unless parliament meet the evil with manly firmness and vigour—to look to his Majesty's ministers for the means of affording adequate security for life and property, and for

the safety of the constitution, they are entitled to claim from his Majesty's government that they should make any propositions which they determine on bringing forward, as much as possible in the spirit of the constitution under which we happily live; and to expect that while they recommend the measures which appear to them calculated to meet the public exigency, they should not forget the sacred principles of right and liberty, which has made Great Britain a source of admiration and envy to all surrounding nations. I can assure the House that his Majesty's government are most anxious to secure this double object; and while they direct their efforts against the abuses by which the public tranquillity is menaced, to protect as much as possible the best and dearest interests of the people. Having endeavoured to reconcile these conflicting principles, his Majesty's ministers look with confidence for the support in this House of a large portion of those who differ from them on questions of general policy, as they are most earnest in wishing to preserve the freedom of the subject, while they purge the land of the evils that the abuse of that freedom has generated.

As the House naturally looks to me for an intelligible detail of the circumstances which make the measures I intend to propose necessary, as well as of the nature of those measures, I feel I must occupy your attention for a considerable portion of time. I shall now, without any further preface, even though some of the measures are to originate

in the other House, offer all of them to your consideration, in order that no member may give an opinion upon them without seeing the full scope of each individual proposition, both as an isolated proposition, and as a proposition connected with others, and without being able to judge whether they will so fit in with each other as to make a perfect and consistent whole. I shall, of course, support each and all of these measures, and the general principles upon which they are founded; but in order to save the time of the House, I shall not enter into any minute reasonings upon them at present, but state them broadly though distinctly. In order the more fully to direct the attention of the House to this point, I hope I may for the present be allowed to assume as fact, the existence of the evils which the measures in question are intended to correct, not depriving the House of the right of discussing this part of the subject at any future stage of their proceedings. I will then assume for the present, on the authority of the Speech from the throne, that great danger exists in the country; that there has been disclosed in the country a spirit which is incompatible with the constitution of the kingdom—that it threatens the destruction of all those rights which are most valuable—and that it aims not only at the change of all those political institutions which have hitherto constituted the pride and security of the country, but also at the subversion of property, and, of course, of all those rights on which society depends, which, if not speedily checked, is calculated to overthrow the

principles upon which the property and happiness of society rest. These facts I have a right to consider as fortified by the speech of the right honourable member who moved the amendment to the address, (*Mr. Tierney,*) as well as by the statements of several of the honourable members who supported it. That right honourable member has admitted, that there has gone abroad a wild and impracticable spirit of reform, which menace not only the happiness of society generally, but more particularly the interests of the poor deluded persons who possess it, and, with several of his friends, has pledged himself to uphold the constitution against such doctrines to the utmost of his power. I am also confirmed in the statement which I have just made, by the opinions which have been formed by a set of gentlemen best calculated to judge of the situation of the country—I mean the magistracy and the grand juries of Cheshire and Lancashire, and of several other counties. If I wished any farther authority on the subject, I have it in the statement of the noble lord who represents the county of Lancaster, a county containing a million of inhabitants, and possessing a large portion of the wealth and commerce of the country. In that county, according to that noble lord's statement, there exists a spirit of disaffection bordering on rebellion. The honourable member for Taunton also has mentioned the order of things in some of the manufacturing districts to be such as that either the House must put them down without delay, or

else they will overpower the constitution, and further, that there were no interests more at stake than those of the poor deluded people by whom such opinions are entertained. From these statements I feel I have a right to assume the existence of that danger which induced his Majesty's government to bring forward such measures as they in their consciences believed to be imperatively called for, and most effectual in rescuing the country from its perilous situation. In the statement I am about to make, I shall be sorry to make any impression on the country that can be considered as imputing disaffection to the great mass of the people. I have an individual pride (individual, I mean, as I am by birth and education connected with that part of the empire), in stating, that as far as Ireland is concerned, she has never experienced a greater degree of tranquillity, and, I may add, prosperity, than at this moment. There are, perhaps, one or two exceptions, but they are of a very trifling nature. Long may she continue in that state! Long may she continue to feel the value and importance of that constitutional position in which she has at last had the good sense to place herself, and which, I doubt not, will prove the source of numerous benefits to her, while it entitles her to the entire confidence of the sister country. In Great Britain, also, I am happy to state that the great body of the agricultural interest never enjoyed a greater state of repose than at this moment; and I hope I may add, that it is fast recovering from that depression into

which it had unhappily fallen. When I say this, I am not insensible to the difficulties with which the landed interest has still to contend; but comparing its present situation with that in which, at no distant period, it had been, I think I am warranted in expressing myself in the language which I have used. Considering nothing so important as that the subject should be stripped of all exaggeration, I am bound to state, that even in the manufacturing districts, I believe the loyal are sufficiently strong to put down, by themselves, the disaffected; but this cannot be accomplished without risk of great devastation, ruin, and misery. It is not for the state therefore that I tremble, but it is for the inhabitants of certain districts, who have claims on the government for protection, and for the deluded reformers themselves; and on those grounds I call on parliament to support the law and to guard against the evils of a threatened rebellion. Into the causes of the discontent and dissatisfaction which prevails, I do not feel inclined to enter at present; on a future occasion I shall not shrink from discussing them; but all that I shall now say is, that as far as my inquiries went (and they have not been scanty), I cannot discover that the market for our industry has been narrowed either at home or abroad. At home it has certainly increased, and abroad there is no defalcation but in one instance, which is well calculated to teach the deluded men who are ever complaining of the system of government established in this country, a salutary lesson. The

American market is the only one that has failed us. It is there—in a country which is represented as a perfect paradise—in a country governed under a system which many in England believe it is only necessary to adopt here to relieve us from all our burdens; it is in America that the greatest distress is found to exist, and there our commerce has experienced failures which are unknown in Europe. There has certainly been a depression felt in various branches of our trade from the termination of the war, but these are no more than were to be expected in the common course of things, and to these time alone can bring an effectual remedy. I am confident that no sober-minded rational man can for a moment believe that they are to be removed by any parliamentary interference.

I will now proceed to the most important object of the night—the remedies which his Majesty's ministers propose to apply to the evils complained of. In enumerating them, I will name them in the order in which the state of the country seems to call for them. They divide themselves into five heads. I will begin with that which is most pressing in point of time, and name that last which is most important with a view to tranquillising the country. The first subject is the tumultuous meetings which have become common, which are marked with a character wholly different from that of peaceful deliberation, which have never been known in this country till of late years, which are quite an innovation upon all its habits, customs, and preju-

dices, which are borrowed from the worst days of France, and which conduced most essentially to the progress of the revolution in that country. The second subject is that part of the system of the disaffected, which, if not checked, will lead to results the most extensively mischievous;—I mean the training of large bodies of men for military, I might add, for rebellious purposes, without the authority of the Crown. The third is more of a local character, and gives to magistrates the extraordinary powers confided to them by an act passed in the year 1812, enabling them to search for and seize arms, where they have reason to believe they are secreted for improper purposes. The fourth measure will ensure the more speedy administration of justice in certain cases, and, in particular, will expedite the trials of those charged with misdemeanors. The fifth affects that great and most important engine, the press, but only that part of it which, in contradistinction to the general press of the country, I may be allowed to call the treasonable, blasphemous, and seditious branch of the press. With regard to the first of these measures, I must desire the House to consider the abstract right on which the right of meeting to petition is founded. No man can value more highly than I do the right which the people unquestionably enjoy to meet to consider the grievances which they feel, either individually or collectively, and to carry to the foot of the throne, or parliament, their petitions for redress of them. From the mode, however, in

which this right has recently been laid down, and from the doctrines which have been founded upon it, it appears to me, that unless common sense is applied to the law which has recently been promulgated on this subject (and law and common sense do not travel so far asunder as some people think), the abuse of that right must inevitably lead to sanguinary rebellion in the first case, and that which is its never-failing concomitant, military despotism, in the second. I lament most strongly, and I think that several of those who have signed the requisitions for county meetings also lament, that they have stated in such broad terms the right of the people to assemble. I have never seen, however, among the many resolutions which have been adopted, any document officially signed, which carried this right to a higher point than the famous one signed by Thistlewood, who, no doubt, has good legal radical assistance. In that document it is stated, that he knows of no law that can prevent 1,000, 10,000, 100,000, or 1,000,000 of persons from assembling; and no magistrate, it goes on to say, can touch them till they strike some blow; and that it makes no difference whether they meet with or without arms, with or without flags, or with or without all that novel paraphernalia which has lately rendered those meetings so conspicuous. Now, I would ask, if this ought, in common law, or in common sense, to be allowed. I would ask, whether it is consistent with common law or with common sense, to assert that the people (and for the

sake of the argument, I am at liberty to assume the whole of the people), may meet at one place, and to say that the magistrates are to stand quiet after the meeting is assembled, until some positive damage is done? If such a principle exists, it proves that the law is, on the face of it, an absurdity, totally ineffectual for the purpose of preserving the lives or liberties of the people. If this is the case, the House must allow me to say, we are living in a country whose government is degraded and debased. If this is the case, then the magistrates must on all occasions have recourse to the aid of the military, of the exercise of whose power the country is so naturally jealous. Is it to be tolerated, that in a country whose constitution is so justly the envy and admiration of other nations, the whole of its industry is to be convulsed—the quiet part of the population are to be alarmed,—not with childish fears, but with just terror—that they are to be driven from their business—obliged to close their shops—that the public mind is to be kept in a state of continual ferment and agitation, by a set of itinerant orators, who march large bodies of men twenty-five miles through the country in military array? The minds of the lower orders in this country are inflamed by artful tales about sinecures and pensions, and they are told that if these are done away, all their grievances would be at an end. I will take upon myself to say, that if the sinecures which have not yet been abolished, are done away—if the whole pension list is surrendered to their wishes, that the benefit

derived would not in ten years give the Manchester cotton-spinner, who can earn thirty shillings per week, the five shillings which he wasted in one day of idleness to attend a reform meeting. This I can prove to demonstration, and with equal ease can I show, that if the reformers can succeed in their dishonest and destructive scheme of annihilating the national debt, that the withdrawing of the interest of £29,000,000 of money from general circulation, though it may relieve some who now contribute largely to the taxes, will depress the markets of the country, augment the general distress, and carry ruin to the humble cottage as well as to the mansion of the great. The gentlemen who advocate the doctrine of Thistlewood, ought to recollect that the law provides against a *bellum levatum*, as well as a *bellum percussum;* that meetings even without arms are not allowed to assemble to the terror of his Majesty's subjects; and that the magistracy are bound by their oaths to protect the lives and properties of the people, under such circumstances, as far as lies in their power. This fallacious doctrine, however, I am glad to say, is refuted by the late debates in this House; and if no other result has followed from the assembling of parliament, the late discussion is calculated to produce the most beneficial effects in the country. The House and the country are deeply indebted to a right honourable and learned gentleman (*Mr. Plunkett*) opposite, for the able and eloquent manner in which he stated that point on a former

evening. Independently of his high legal authority (and higher there is none), there is something so clear and sound in the opinion he gave on the illegality of such meetings, that he must have removed all doubt on the subject. That right honourable and learned gentleman has well said, that although the rights of a British subject allow him to do every thing which the law does not forbid, he is not permitted to contravene or to trench upon the rights of another. I do not wish to say any thing complimentary of the stream of eloquence which came from my own side of the House; but is there no inference to be drawn from the silence which has prevailed on this subject among the learned and honourable gentlemen opposite? There are occasions when silence is as eloquent, if not more eloquent than words; and I conceive the present to be one of that nature. I certainly do suppose, that a gentleman of high legal talents on the other side (*Mr. Scarlett*), notwithstanding his explanations, has pronounced as decided an opinion as is possible, upon the illegality of that meeting, and that he has followed up his argument by making a complaint against his Majesty's ministers for suffering several meetings like it (and he has instanced that of Smithfield) to take place subsequently. Another honourable gentleman (*Mr. Hume*), who followed in the debate, seemed rather disturbed by the explicitness of this opinion, and therefore introduced into the discussion the swords of the cavalry, which he asserted to have been sharpened for the occasion. That,

however, is now exploded. The noble lord (*Nugent*) opposite has clearly proved, that those swords were sent to be sharpened several days before any intimation was given that a meeting was to be held. Another honourable and learned gentleman (*Mr. Brougham*), who bears a high, and, I believe, a well-earned reputation in his profession, whom we are to hear to-morrow, has promised to prove the lawfulness of the meeting. With regard to his speech in expectancy, I have a right to take it on my side of the question; for if that honourable and learned gentleman has felt any difficulty on the subject, the recent decision of the House must, I should conceive, have removed it. This, however, I will maintain, that if any man can still doubt, whether or not meetings such as I have described are legal or illegal, it is high time for parliament to take care that this embarrassment should be felt no more, regarding what is and what is not the law upon the subject.

I will now call the attention of the House to the measures necessary to meet the evil. In framing the proposed remedies, the first object is, to suit the characteristics of the meetings against which they are to be directed. My first enactment will therefore be, the limitation of numbers. The second is intended to prevent persons residing in distant districts from attending meetings in districts where they do not reside. The third is, to prevent the existence of simultaneous meetings, for the House will recollect that they had it in evidence, in the letter of General Byng, that this plan, though de-

feated by a schism among the leaders, had been seriously entertained, in order to divide the military power, and thus give the reformers a better opportunity of making a trial of their physical force. These are the three grand points on which I will stand, and for which I will now use a few short, but, as I think, decisive arguments. Nobody will say, that any bill could effectually meet the evil which did not limit the numbers; and nobody will assert, that by limiting the numbers, we are trenching upon any substantial right of the people; for if deliberation is the object of their meetings, the great numbers in which they have recently assembled is not calculated to aid it. I have no wish to prevent them from assembling, when deliberation is really the object which they have in view; I have no wish to put an end to those meetings which are the peculiar boast of England, and which, till modern times, have been productive of so much benefit and advantage. In latter times, however, these meetings have been of a different kind, and seem, from the manner in which they are called, and in which they are conducted, to have been borrowed from another country. They have been held under the sanction of the laws to consider of the means best calculated to overturn, by physical force, the very laws under which they meet. Far is it from me to call on the House to do any thing that will operate against the ancient and sacred right of the people to petition, under the protection ıd with the sanction of the magistrates, or the

other constituted authorities of the land. I would, on the contrary, give increased facilities to this mode of petitioning. But meetings not called under such authorities, convened by men without character, rank, or fortune, are, in all probability called for improper objects, and therefore are a fit subject for the animadversion of the law, and it is but reasonable that they should assemble under circumstances that will give a sort of *prima facie* security against outrage; for the House may rely on it, that unless we can reconcile the exercise of our liberties with the preservation of the public peace, our liberties will inevitably perish, and society will come to a speedy dissolution. With respect to the local and numerical modes of regulating the constitution of meetings, it is obvious, that when they reach the extent, in point of numbers, to which meetings ought to be allowed to go, it is impossible to fix any precise limit. An honourable gentleman on the other side has said, that meetings ought to be of such a description, as that the civil power would be sufficient to preserve peace, in order to prevent the indignity of calling in the military power. I can assure the honourable gentleman, however, that meetings cannot be reduced to such an extent without chilling all deliberation. Besides, nothing can be more calculated to embarrass magistrates than such a limitation of meetings. Therefore I shall propose what will effect the object without encountering those difficulties or objections. From my proposition I shall except county meetings, regularly

convened, meetings called by corporate bodies, by grand juries, or by five magistrates. With these exceptions, every meeting must be preceded by a notice, for a certain number of days, to the magistrates, of the intention to call such a meeting, and must be within the parish of the persons assembling—the natural place for deliberation, where they can meet with safety, and without loss of time. In reference to the impropriety and danger of allowing immense multitudes to assemble in the manner which has recently been witnessed, I will read the sentiments of a noble lord, who always looks with the greatest jealousy on every thing that may affect the liberty of the subject, and who cannot be suspected of a disposition to curtail any popular right. Lord Erskine, in a publication lately given by him to the world (the Defence of the Whigs), applies the following observations to the public grievance of tumultuary meetings:—"——but holding sacred, as I do, the never-to-be-surrendered right of British subjects to assemble peaceably, to express to each other and to the government of the country their grievances and complaints, yet I feel no difficulty in saying, that nothing can be more obviously useless and mischievous than the assembling of immense multitudes, not in their own communities or neighbourhoods, but by moving on other thronged and agitated districts. Such meetings, however legal they may be, cannot but be dangerous to the industrious poor, collected at a distance from their own homes, only to disturb the industry of others, ag-

gravating the sufferings of poverty by the interruption of employment, by the hazard of fatal accidents, and the probable temptation to crime." I do not think it necessary to labour this part of the subject farther. In confining meetings to their respective parishes, it is proposed to make it a misdemeanor for any person, not resident in the parish, to attend a meeting in it. Two objects will be effected by this regulation. But before mentioning them, I will remark, that some parishes consist of more than one large township, under distinct overseers, and are so populous as to require farther limitations as to public meetings. There are in the country about thirty parishes that are extraordinarily populous, that is, they contain a population beyond 20,000 souls. No parish whose numbers are under that population is restricted from a meeting of the whole parish. But with respect to the parishes whose populations exceed that number, a power will be given to quarter sessions, who will not be apt to abuse such a power, to divide them into districts, of which each shall contain a population not exceeding 10,000. By this arrangement it is manifest that there is no intention on the part of ministers to reduce meetings in such a manner as to destroy their popular character. They will, on the contrary, become better fitted for the purposes of discussion, at the same time that they will cease to be attended with danger. One hundred thousand persons would no longer assemble, and those individuals who reduce grievance-making into a trade,

would no longer have it in their power to travel about the land and poison the minds of men who had not been aware but that they lived under the mildest government, and had not known that their greatest enemy was the House of Commons. The second object is, to prevent the distraction of the attention of magistrates by vast numbers of simultaneous meetings, not perhaps known to them till the very time of meeting, and then often corresponding with other public meetings, fairs, or markets. For that purpose, it will be required of the persons calling meetings to give notice of their intention six days beforehand to the magistrate, in order that he may have time to consider. The magistrate shall also be invested with the power, within four days of that fixed for assembling, to change both the time and place, if he shall find it proper, so as to defeat any plan which may have been formed to create confusion. The tumultuary character of meetings will thus be removed, and the system of itinerant orators destroyed. Another measure is one with respect to which, I apprehend, there can be but one sentiment in this House; it is, to put a stop to a practice which never has been British, but is borrowed from the worst times of the French revolution. None will be allowed to attend those meetings either armed or in martial array, nor with those symbols which threaten confusion and danger to the peaceable part of the community, and which present the appearance of an assemblage demanding rather than petitioning for a redress of

grievances. It is the law of this country that a man may possess arms for the protection of his house; but I feel a persuasion that none will contend, that every person is entitled by law to go forth armed. The principle of laying on certain restrictions in this respect is not unknown to our law. That which I propose is, in fact, nothing more than a declaratory law, but I shall certainly add a clause, which happily has never been called for before in this country, to prevent any kind of arms from being carried to a public meeting. This will extend to county meetings, as well as to meetings confined to the parish, because even a county meeting in this country has been disgraced by all the weapons and symbols of radicalism. All meetings are therefore comprehended in this measure. There is one point on which I shall propose no law; it is the part which women have borne in the late transactions, for I trust that it will be sufficient to restrain them from similar conduct in future, to let them know, that when the French republicans were carrying on their bloody orgies, they could find no female to join them except by ransacking the bagnios and public brothels. I am happy that no female has attended any public meeting in the metropolis. Such a drama would, I trust, be put an end to by the innate decorum and the innate sense of modesty which the women of this country possess, and which would purge the country of this disgrace. The bill which I shall propose will, therefore, limit meetings (with the exceptions which I have men-

tioned) to the parish; will require six days' notice to be given to the magistrate before a meeting; will invest the magistrate with the power of changing the day and place within four days of its being held; and will make it illegal for non-residents to attend; or for persons to come with arms or revolutionary symbols, giving a French character to British transactions. The magistrates will of course be empowered to seize such persons, and take them away from the meeting; for to render the measure effective, it is necessary to strengthen the hands of the magistracy, that they may resist the inroads of people not belonging to their parish. I do not mean that they shall turn out any individual whom curiosity may lead to the spot; but if the influx of strangers has a tendency to endanger the peace, or change the nature of the meeting, they shall read a proclamation ordering all strangers to withdraw. If this proclamation is not obeyed, they may then pronounce the meeting to be illegal, and dissolve it. A quarter of an hour will be allowed for the strangers to retire, and half an hour for the meeting to disperse. If after that time more than twelve individuals are found assembled, I shall propose to make it not felony with death, but a clergyable felony. If the honourable and gallant general who has cheered my last statement is acquainted with the principle of the Riot Act, he must be aware that any person standing out against authority is guilty of felony. In 1817 (I do not know whether the gallant general was then a mem-

ber of this House) a similar principle was acted upon. It will be, in the proposed measure, a clergyable felony; but as parish meetings cannot require the usual time to disperse after proclamation, only a quarter of an hour will be allowed for strangers to withdraw, and in half an hour afterwards the meeting will become illegal.

The second subject to which I will call your attention is the practice of training and drilling. I have omitted however to remark, that debating societies not regulated by a magistrate's licence, are, as by the bill of 1817, included in the restriction which I have detailed. The practice of training and drilling is foreign to every principle of our constitution, and must be reprobated by all who agree in sustaining constitutional principles. Training, with or without arms, and all military manœuvres, will be prohibited. Meetings for those purposes will be rendered illegal, and magistrates may disperse them at their discretion. A distinction will be made between the drillers and the drilled, because the drillers must be supposed to be more intelligent than the drilled. It is most gratifying to me to be able to say, that, although it has been reported that old soldiers, forgetting their allegiance, have assisted in training others in military exercises, and that although in one or two cases it may be so, yet that the offence has been seldom imitated, and that in general nothing can be more exemplary than the conduct of those who, having been the first to take up arms in the service

of their country, have been the first, at the return of peace, to lay them down. For drillers, not only will fine and imprisonment be assigned as a punishment, but it is intended to vest in the court the power of transporting those convicted of that offence, where it is thought proper.

I now come to the third head. The state of the country, and the secret and seditious practices which prevail in certain parts of it, call loudly upon parliament to enact some measure without delay for the detection of arms provided for an illegal purpose. The measure I shall propose will be drawn from a similar measure which I proposed to the House in 1812 (the Disarming Act for the Midland Counties). It will extend only to certain counties, but it may be extended to others at the desire of the lord lieutenant of any county. There is no principle introduced by this measure which can be considered new, always connecting it with the actual state of certain parts of the country; and it will be liable, like the measure of 1812, to be repealed if found unnecessary.

Another measure which I have to submit to you, respects the unbounded licence of delay which exists in certain cases of misdemeanour, and it will provide that such persons shall go to trial immediately, unless they show cause to the contrary. No principle can be more congenial to the spirit of the laws, and no measure is more called for by the situation of the country, than one which will render the administration of justice in these cases more prompt. An

individual charged with a crime which affects his life, is immediately put upon his trial; but in cases of misdemeanours, the accused has it in his power to postpone his trial, so as to defeat the ends of justice, perhaps for a year and a half. The object is to make such a regulation as will bring misdemeanors more nearly, in that respect, to the state of graver and capital cases. I must observe, however, without stating technical reasons, that there are instances in which some delay must take place, as in cases in which there are rights of removing by certiorari from inferior to superior courts. The object of the new law will be, to reduce the time as much as possible, without reducing those rights. On this point it is unnecessary for me to enter into any further explanations; but I shall add, that the measure will be connected with another, which the state of the country, I trust, justifies his Majesty's ministers in bringing forward, and which will consist in an attempt at realising the intention which they have long entertained, of facilitating the administration of justice in the country by some regulation respecting the circuit judges. The long interval between the autumn and spring assizes affords great opportunities for escaping due punishment, and presents difficulties in repressing dangerous and seditious practices. It will, therefore, be matter of consideration, whether a system cannot be arranged that will give a third assize to those counties. His Majesty's ministers would have been liable to the charge of having acted upon ex-post-facto prin-

ciples, if they had proceeded against the individuals charged with a misdemeanor in the county of Lancaster, per saltum, and that is the reason why they have not appointed a special commission, as the accused would thereby have been deprived of the power of traversing.

I now come to what I have postponed to the last, as being, in every constitutional point of view, the most difficult and the most important—I mean the danger which arises from the abuses of the public press. I am very happy to say, that the measure which I have to propose to meet this danger, applies only to what I may call the treasonable and seditious press of the country—to that class of publications which, unfortunately, as the law now stands, are made vehicles for the dissemination not merely of treason and sedition, but also of blasphemy. It is in my opinion utterly impossible for the mind of man long to withstand the torrent of criminal and seductive reasoning which is now incessantly poured out to the lower orders; and unless some remedial principle can be hit upon, compatible with the genius of the constitution, not only all the other measures which I have proposed will be inadequate for the restoration of tranquillity, but the mind of the country can never settle down to industry and content. I am ready to admit that this country owes much of the intelligence and high character for which it is so eminently distinguished to its free press: and that we cannot hope long to retain that envied pre-eminence without the posses-

sion of what every rational man would call a free press; but if a free press cannot be made compatible with morality, peace, and religion, then a free press may become a great evil, and produce effects by which a free press itself and every other right and advantage we possess, will be swept away in one general ruin. No endeavour then can be more laudable than one to dispel that well-founded alarm which now exists with respect to the press. I conceive that nothing which I have to propose will strike at, or touch, what may be considered the two great pillars of a free press. Every man will be at liberty to publish his sentiments without any previous investigation into their nature, and without any thing in the shape of a censorship or restraint upon individual discretion. In the second place, nothing shall be done to affect the trial by jury as applied to the question of libel, in which the jury have the decision of both law and fact. There is no intention to affect the tribunals appointed by law for the trial of libels, or to prevent any man from publishing his sentiments in the first instance; but measures ought to be adopted to cut off the pestilent abuses of the press, because nothing can lower a free press more than such abuses. The first part of the measure I will propose is one to which no serious opposition can be made, because, in my opinion, it involves no new principle, but leaves the law in the same situation as before. It protects that law, and punishes and destroys an abuse which has already been long in operation—I know not

precisely how long—but one from which I think every mischief arises. This abuse has operated greatly to defraud the revenue, and greatly to the prejudice of the respectable persons who are engaged in conducting newspapers. If this evasion is to be tolerated, it will have the effect of throwing all the periodical press into the hands of men who have neither property nor the means of procuring security, and will enable them to inundate the country with poison, at a price so humble, that no individual, however necessitous, will be unable to purchase it. The law, therefore, which I mean to propose, is, that the political publications, now published without a stamp duty, shall be hereafter subjected to a duty like other newspapers. By the stamp laws all advertisements inserted in newspapers are liable to pay a certain tax, consequently the general stamp duty to which newspapers are subjected has reference more to the other matter contained in them than to advertisements, namely to the accounts of events, and comments on these events, matter of a similar nature to that contained in the publications which, in point of duty, I now wish to assimilate to them. It is also to be taken into account, that as the political pamphlets now circulated are of a small size, they can be furnished at a much cheaper rate than newspapers. Indeed, the authors of some of those publications which have done the most mischief, so far from considering themselves exempt from the law of newspapers, did for a great length of time continue to publish on stamped paper. The

price of Cobbett's paper, for instance, had been tenpence; but suddenly it was published without a stamp and sold for twopence. What I now propose is, to follow up the intentions of the Stamp Act; to follow to its legitimate conclusion the law as it now stands with respect to newspapers; and while adopting a means to guard against offences of the press, to guard also against frauds committed not merely against the revenue, but against the respectable newspaper press; by placing the publications in question on the same footing with newspapers. Without now entering into any general definition, I may state, that it is proposed that any thing of the nature of pamphlets or newspapers, and not exceeding two sheets, containing either news, intelligence, or political discussion, or the description of political and religious subjects—in short, all subjects which may be considered as political, shall be held as coming within the description of newspapers, and subjected to the same duty. Such a measure is necessary to prevent the circulation of respectable newspapers from being injured, and to render the circulation of dangerous publications more expensive. Such is the first regulation which I have to propose. The second regulation is also a principle already established and recognised by law, particularly with regard to this class of publications. The law now declares that the names of publishers in general, not merely of publications of the description of newspapers, but of publications of all sizes, shall be given, and that every publication shall be

considered unlawful which has not the name of the publisher on the face of it, for the purpose of making him amenable to justice. But that regulation is at present rendered completely nugatory by a practice which has been adopted, by which the individual who does the mischief is enabled to escape from the consequences of it. When it is wished to do any act which will draw down the animadversion of the law, the mode adopted for that purpose is to put forward some wretched hack, who, for a small hire, will run all risk of punishment. Now, if any man will run the risk of being lodged in gaol for a trifling sum, while the individual who is the real author of the offence runs no risk whatever, the object of the law is entirely defeated. I have heard, in the case of an individual who was convicted, while another individual for whom the illegal acts were done could not be touched, that the latter had the impudence to say, "For half-a-crown a day I can always procure a man to stand in my situation, and I can carry on my trade in his name, while he runs all the risks." When it is recollected, too, what time elapses before applying the penalty of the law after conviction, some remedy on this subject is imperiously called for. What I propose, is to check the practice of publication by individuals who have no property in their hands—the practice of individuals who have no visible means of paying the penalty to which they make themselves liable, making themselves responsible for others who derive nearly the whole of the benefit from the publi-

cation. In the case of these small publications, I propose that all persons shall be required to give a previous pecuniary security, to abide any judgment that a court of law may pronounce against them, either for treasonable, blasphemous, or seditious libels. I do conceive that this will operate in every way for the protection of the respectable part of the press. It will have the effect of bringing forward the man at the bottom of the whole, who will not be allowed to put a faggot in his place. The judgment will attach to the security given, and this, I trust, will have the effect of throwing the punishment on the proper person. The third regulation with regard to the press which I propose is rendered absolutely necessary to give effect to the other two. It is to impose a moderate penalty on all persons publishing or hawking about publications not duly stamped, or published by persons who have never given any security. If the persons engaged in these publications do not find instruments for propagating their poison in this manner, they will fail in their object; and therefore it is I propose to impose a moderate penalty on persons found hawking them, and that the penalty shall be recoverable on conviction before a justice of the peace or other magistrate. I know that reproaches have been thrown out against ministers for not taking effectual means for putting a stop to these seditious and treasonable publications, but those reproaches come with a very bad grace from gentlemen who have complained against the late attorney-general

for the number of informations *ex officio* which he filed. I know it may be asked by the other side, "Have you applied the existing laws?" In my conscience I believe, under the existing law, the mischief is beyond the reach of any public prosecutor; my learned friends feel that it can only be dealt with by the regulation proposed, which I have no doubt the House will agree to, as the whole country is interested in protecting the people against the pernicious poison.

I have nothing to state upon the subject of the regulation of the press but these three measures,—1st, To apply the existing stamp duty applicable to newspapers, to all publications not exceeding two sheets, of the same character. 2d, To require all publishers to give previous personal security, and two responsible securities in the same sum as himself. 3d, To apply a penalty recoverable before all magistrates, for hawking about publications, with respect to which the provisions of the law have not been complied with.

I will now call the attention of the House to a subject connected with the last. It is a principle not unknown to our law in many offences, and which, I think, ought to be applied to the specific offence now under consideration. The House will remember that in 1796 it was enacted, that upon a second conviction for sedition, a higher punishment might be imposed, and in addition to fine and imprisonment, transportation or banishment for seven years, when a person had been convicted a

second time. I do not mean a cumulative offence, but an offence committed after judgment being pronounced for a first offence, when the person so offending is liable to transportation or banishment for seven years. I propose that the court shall be empowered, on a second conviction, for either treasonable, blasphemous, or seditious libels, to transport the person so convicted for seven years, or banish him for such shorter period as may be thought advisable. If there are individuals among us who have such an abhorrence of our institutions, that they are determined to sin with their eyes open, after they have once been punished, they cannot be considered as visited with a punishment disproportionably rigorous, by being subject to transportation. With these measures, and the other measures which his Majesty's ministers have adopted, I trust the evil will be arrested. Having made these observations, I do not know any thing further which I have to state, excepting that it has been found necessary to augment the military force. This augmentation has been made in the manner, which is conceived to be the most effective, the least expensive, and the least connected with any motive of interest or partial views. It will be most gratifying to government to find that the state of the country renders all farther augmentation unnecessary. Much depends on the spirit and energy with which parliament acts; and much on the readiness and determination of the sound part of the community to defend themselves against the dangers which

surround them. I hope they will feel it necessary to come forward in armed associations, and to show, that if any persons are disposed to make efforts against the constitution, the friends of the constitution are determined to make greater and more effectual efforts to defend and preserve it.

I do not think it is necessary for me to say any thing farther as to the proposed measures. I have opened to the House what in candour I am bound to state with respect to them. I am perfectly sensible that when any law is proposed of the nature of an infringement on the valuable rights for the protection and maintenance of which the constitution was established—when parliament is called on to abridge such rights, or only temporarily to suspend them—when it is necessary for any minister of the Crown to propose the suspension of the Habeas Corpus Act (though it is a great gratification to ministers that at the present moment they are not under the necessity of proposing any such suspension), the only just ground for passing such measures is the necessity of parting for a moment with some of our liberties in order permanently to secure the whole. But I beg the House to take distinctly into consideration that the measures now proposed are not directed against the rights of the people, but against the abuses of those rights, which abuses shake the security of the rights themselves. With respect to the bill which I am now proposing to introduce, similar to that in 1812, giving extraordinary power to the magistrates to search for arms, I have

it not in contemplation to offer that bill on any other principle than as a local and temporary measure. But if I distinctly understand the nature of the rest of the proposed measures, and in particular of that intended to repress seditious meetings, it appears to me that they should be made permanent. I am not aware that they infringe on any popular right. If it is objected that seditious meetings are now confined only to a part of the country, and that the measure applicable to them ought also to be partial, I will say, that I do not conceive such a measure can be considered in the light of an infringement on the liberties of the country, being only a solitary protection against the danger from those meetings. The same observation will apply to the bill against training and drilling, to the traversing bill, and also to those regulations which cannot be looked on in any degree as an infringement on the liberty of the press, fairly understood, but merely as a remedy against a crying evil. I shall not propose, with respect to those bills, any limitation in point of time. I do not mean to say, but that on the country coming back to its former state—or on the game of the disaffected being rendered hopeless—I do not mean to say but that the honourable and learned gentleman opposite (*Sir J. Mackintosh*) in some future review of the laws, when this measure will have ceased to apply to the state of the country, may question whether it should not undergo some alteration, or whether it ought to be allowed to remain on the Statute Book. But if there is really nothing in these bills which narrows the

rights of the subject; if they are rather to be considered as protecting the subject in the exercise of those rights, and if a fatal influence has often already been produced on the minds of the wicked and evil-disposed from the indisposition of parliament to apply temporary remedies to temporary evils, I think the House ought to make them perpetual. We have already seen with what cunning, wicked and evil-disposed men often avail themselves of the expiration of a law, or the circumstance of parliament not sitting, to resume their old practices; and therefore if the House sees those laws in the light in which they are viewed by his Majesty's ministers as a remedy against abuse, and not as an encroachment on rights, they will think that much greater benefit will be derived by the country from rendering them permanent. We are called on in political wisdom when we look to the scenes around us—when we see what is passing both at home and abroad—when we consider what theories of government are afloat, not only here but elsewhere, we are bound to create a fence around the constitution, and a bulwark to protect it against those spurious rights which are so foreign to its sober genius. How long are the prosperity and tranquillity of the country to be put in danger in this manner? I implore the House for God's sake to look their difficulties in the face. The evil is permanent; at least as permanent as an evil of such a character can be. Wicked and dangerous men ought to be deprived of the power of keeping the country in

continual agitation. I therefore propose the measures without any limitation as to time, leaving it to the wisdom and discretion of parliament to deal with them as may be thought proper when the motives for adopting them have passed away; for I believe they are safeguards to the constitution, and not encroachments.

I regret I have been compelled to trouble the House at so much length. The bill giving magistrates a power to search for arms will be introduced first into the other House, as also the traversing bill. The other bills will be introduced in the House of Commons. With respect to one of them, it will be necessary we should go into a committee of the whole House on the subject of it, previous to bringing in the bill: and I shall, to-morrow or next day, propose such a committee.—I now move for leave to bring in a bill "for the more effectually preventing Seditious Meetings and Assemblies."

SPEECH

OF

THE RIGHT HON. LORD JOHN RUSSELL,

IN PROPOSING THE

CONSIDERATION OF THE STATE OF THE REPRESENTATION OF THE PEOPLE IN PARLIAMENT.

HOUSE OF COMMONS—APRIL 5, 1822.

MR. SPEAKER,—I rise for the purpose of moving a resolution, "that the present state of the representation of the people in parliament requires the most serious consideration of this House." Should I be so fortunate as to succeed in this motion, I shall then move for leave to bring in a bill for the more effectual representation of the people in parliament. In bringing this subject before the notice of parliament, I naturally feel considerable anxiety; not anxiety lest I should fail to impress upon the House the importance of a question affecting the formation of the governing body of this mighty empire—a question which, if carried, involves, as some think, the ruin, but as others, and, according to me, a majority of the people believe, the salvation of the country—but anxiety and apprehension lest the weakness of the person, who presumes to bring forward the motion, should be thought unequal to a

discussion of such magnitude. It will be an additional weight upon me, in urging arguments which I think are in their nature irresistible, to consider how often those arguments have been enforced by men of the highest talents; men entitled to the veneration of the House and of the country.

On the other hand, if I may venture to speak of myself, I feel some encouragement to proceed, in the recollection, that I have served an apprenticeship, so to term it, in the cause of reform; that I have thus had occasion to consider the subject in its various forms and bearings; and that, in bringing forward a part of the question of reform more than two years ago, although I never for one instant allowed it to be imagined, that the small alteration I then proposed contained my utmost wishes, I yet professed myself inclined rather to support the reforms of others than to originate any general proposition myself. I therefore claim some credit for deliberation when I say, that a careful investigation of the subject induces me to lay before the House the reasons and the principles upon which, in my mind, a more extensive reform may be safely founded. I am likewise encouraged by the propitious fitness of the present time for entertaining such a motion. The question has been so often met and turned aside by fears of Jacobinism in foreign nations, or of tumults at home, that I feel it a great advantage to be able to say, that our present state of external peace and internal tranquillity affords opportunity for ample and undisturbed discussion.

There is another circumstance which ought to weigh in favour of the motion I am about to make; I mean the number of petitions for reform of parlialiament which have been pouring into this House since the beginning of the session. This fact shows the value which the people at large attach to this question, and the eagerness with which they look forward to its success. Petitions have this year been presented to the House from the Counties of Middlesex, Devon, Norfolk, Suffolk, Bedford, Cambridge, Surrey, and Cornwall, all praying for reform in parliament. In the county of Huntingdon a petition to the same effect has been voted. Petitions have also been presented in great numbers from separate towns for the same object; and the petitions, which have been presented for the liberation of Mr. Hunt, nearly all contain a petition for reform: thus showing, that the vast number of persons, who embraced opinions in favour of this measure some years ago, maintain their wishes unchanged, and their judgment unshaken.

Whilst this anxiety in the country for reform in general encourages me in the task I have undertaken, I feel it to be a circumstance no less propitious, that the petitioners do not ask exclusively for any one plan of reformation. It may be remembered, that a few years ago all the petitions prayed for universal suffrage; but at a meeting in the present year, of the county of Middlesex, a meeting which might be supposed to bring together all classes of reformers, when a venerable advocate of

the cause of reform proposed a petition for universal suffrage, he could find no one to second him. That single circumstance shows the disposition of the people to ask for reform as a cure for abuses existing, and not as a fanciful untried measure, of which in their own minds they have some vague conception: it shows their inclination to accept from this House any reasonable system of amendment, subject to such an interval of deliberation as the importance of the subject may appear to demand.

Under these impressions, I come to consider what it is that the petitioners ask. I think I am borne out in saying, that what they ask is nothing new; no innovation upon the constitution; no change in the existing laws; they simply pray, that the functions of granting supplies of money, of appealing for the redress of grievances, of giving advice to the Crown, in short, all the legal functions of a House of Commons, should be exercised by the true representatives of the people. This is the language of the petitions, and it is the undoubted language of the constitution. The question to be tried, therefore, is, not whether in law the House ought to be the representatives of the people, but whether in truth they now are so. It is a simple question of fact, which the House is called upon to decide. Considering, therefore, that as to the constitutional right of the people to representation no doubt or question can exist, I shall not consume the time of the House in discussing all the wild theories which have been framed upon that subject. Among others,

I shall entirely neglect the theory, that the House of Commons ought to represent, not the people alone, but the Crown and the House of Lords, as well as the people. Surely nothing can be more dangerous than the admission of such a theory. Nothing can be more absurd than to think, that the balance of the Constitution, instead of existing in King, Lords, and Commons, should be found in the House of Commons alone; for how, if such a system could be allowed to prevail, would the country ever be sure that the balance was adjusted? How could the people have any security, that the Crown and the House of Lords had not a majority, and that the true representatives of the people were not, by comparison, few in the assembly which professes to be sent by them alone? Where then would be their guarantee, that their wishes and their interests might not be entirely neglected in a house called the House of Commons, instituted for the purpose of gathering their wishes, and protecting their privileges? Throwing this theory aside, therefore, I shall consider this House as the House of Commons only, and its members, not as delegates of the various branches of the Constitution, but as forming one branch only. In rejecting theories, I shall likewise lay out of consideration all those plans which require an entire re-construction of the House of Commons: not that I do not think such plans extremely proper to be discussed, but that I imagine the benefits I seek may be obtained by a smaller change; and I think every reformer must agree with me, that if it

could be proved we should obtain the advantages we desire by a lesser change, it would be unwise to attempt a greater.

Throwing aside, then, such theories entirely, I come to the question of fact which I have suggested to the House; and it becomes necessary, in order to our right decision, to take into consideration on the one hand, the state of the House, and, on the other, the condition of the people. If I can show, that the condition of the people has materially changed, and that the change in the state of the House has not been agreeable to that change in the state of the people, but of a very different and opposite tendency, I trust it will be allowed, that the House and the people have no longer that accordance which they ought to have, and that some remedy is required; but if I farther show, that this discrepancy has made itself evident by acts which the House has done, and which the representatives of the people never could have sanctioned; then it must be admitted, not only that there are abuses to be reformed, but that duty, and love of their country command the House immediately to begin the work.

Without entering into detail farther than is absolutely necessary, it cannot be denied that the people of England have undergone a considerable change during the last forty years. The wealth of the country during that period has very considerably increased. The fact, which was mentioned early in the session by my honourable friend, the member for Winchelsea (*Mr. Brougham*), that our expenditure

during the last two years of war was £270,000,000—while it showed the immense expenditure of government, showed also the very great wealth and resources of the people. That wealth and those resources, widely diffused, have had a tendency to increase the importance of the middle classes of society; classes that stand in a peculiarly fortunate situation, equally removed from poverty, which is too often the parent of crime, and from idleness, which is proverbially the mother of vice. Free alike from the temptations created by want, and from those suggested by indolence, they find, in decent competency and useful occupation, the guardians of their morality. Politically speaking, they are intimately connected with the classes above and below them; and are, therefore, not liable to partake either of that disregard of the poor, which sometimes disgraces the rich, or that hostility to the rich, which unfortunately is apt to find its way among the poor. Thus forming themselves the best class of the community, and at the same time zealous for the welfare of the others, they constitute one of the most solid pillars of the state; and I know not that I could select a better sign of the future prosperity of a country, than the wealth, comfort, and intelligence of its middle orders.

Another cause of the improvement of the country is the great increase which has occurred of late years in our manufactures. From the year 1785 to 1792, the average amount of our exports of British manufactures was about £13,000,000 a year. From

1792 to 1799 it was £17,000,000; but the exports of the year 1821, are stated to amount to £40,000,000. When to this is added the still larger consumption of our manufactures at home, and when it is considered, that out of these £40,000,000 our export of cotton goods amounted to £23,000,000, our woollens and linens to £7,000,000, it must be inferred that a very large proportion of the inhabitants of the country subsist by those manufactures. I will not now dwell upon this new phenomenon in the state of the country, but for the present confine myself to a statement of the fact.

With this immense increase in manufactures and commerce, the dissemination of instruction, and the improvement in knowledge, have advanced even in more than equal proportion. Indeed, this is a circumstance which must strike the most careless observer, from the vast increase of books, and the very high prices which are paid for the exercise of literary talents. From the immense distribution of works of every description throughout the country, one would infer, that, as the opportunities of information are thus increased, the education of the lower classes must be enlarged in the same proportion. Being curious to gain some information on this subject, I some time ago applied to an eminent bookseller's house in the city, from which I learned a number of interesting facts. I will state to the House one, which will of itself be sufficient to prove the astonishing extent to which books are circulated throughout the country. From the firm to which

I applied, I learned that their own sale amounted to five millions of volumes in the year; that they employed sixty clerks, paid a sum of £5,500 in advertisements, and gave constant employment to not fewer than 250 printers and bookbinders. Another great source of information to the country is the increase of circulating libraries. In the year 1770, there were only four circulating libraries in the metropolis; there are at present one hundred, and about nine hundred more scattered throughout the country. Besides these, there are from 1,500 to 2,000 book-clubs, distributing throughout the kingdom large masses of information on history, voyages, and every species of science, by which the sum of human knowledge can be increased, or the human mind improved. Here I may also remark on the increase of periodical works. Of these there are two (the Edinburgh and the Quarterly Reviews), many articles in which are written with an ability equal to some of the best original writings of former times, and having a greater circulation than all the periodical works of thirty years ago put together. Besides these there are five periodical works of science only, all in great demand. And here, to show that the demand for such works is not confined to the vicinity of the universities alone, I will mention, that a friend of mine, travelling through Inverness, was enabled to procure, at a small shop, a Journal of science and a number of the Encyclopedia, but afterwards, when in passing through Oxford he applied for the same books, he was

told that they were not to be had unless previously ordered.

While so many and such fruitful sources of information are thus opened to the higher orders, the means of improving the minds of the poorer class have advanced at a pace not less rapid or less steady. First came the establishment about twenty-five years ago of the Lancasterian schools, which have distributed so widely the blessings of early instruction; and after these followed the no less beneficial system of national schools, which afford to the poor of every class education suitable to their state and condition in life. In addition to those means of improvement, another has been opened, not less advantageous to the poor—I allude to the great facilities which at present exist, of getting the most valuable works at a rate so very cheap as to bring them within the compass of all. Some time ago an establishment was commenced by a number of individuals, with a capital of not less than £1,000,000, for the purpose of printing standard works at a cheap rate. By that establishment the History of Hume, the Works of Buffon, the Encyclopedia, and other valuable productions, were sold in small numbers at sixpence each, and by this means sources of the highest and most useful instruction were placed within the poor man's reach. I regret much to add, that this valuable establishment was very much checked in its operation, by the effect of one of those acts for the suppression of knowledge which were passed in the year 1819. I regret this

the more, as one of the rules of that establishment has been, not to allow the venders of their works to sell any book on the political controversies of the day.

In noticing the means which have contributed so much to the mental improvement of the great body of the people, I ought not to omit noticing the very good effects which have resulted from the exertions of the Bible Society, the Religious Tract Society, the Society for the Dissemination of Christian Knowledge, and other valuable associations of similar character. Since the commencement of the Bible Society, it has applied the immense sum of £900,000 to the laudable purpose of disseminating the knowledge of the scriptures. From the Religious Tract Society not fewer than five millions of tracts are distributed annually, and the Society for Christian Knowledge distributes one million. These facts will show the rapid strides which have been made by the public in the improvement of general knowledge.

I will now come to the state of political knowledge in the country. This has been greatly augmented by the extraordinary increase in the circulation of newspapers. Some time ago I moved for a return of the number and circulation of the several newspapers printed in London and in the country. That return has not been made in the manner in which I had intended; but, from the account I was enabled to procure, it appears that there were not less than 23,600,000 newspapers

sold in the country in the last year. Of these the daily London papers sold above 11,000,000, the country papers above 7,000,000, and the weekly papers above 2,000,000. From another source I have been enabled to procure more particular information as to the increase in the number of papers within the last thirty or forty years, the substance of which I will read to the House.

	In the year 1782.	In the year 1790.	In the year 1821.
In England,	50	60	135
In Scotland,	8	27	31
In Ireland,	3	27	56
London Daily,	9	14	16
Twice a Week,	9	7	8
Weekly,	0	11	32
British Islands,	0	0	6
	79	146	284

making in the whole the increase in the number since 1790, from 146 to 284, which is very nearly double in the space of thirty years.

Having made these statements, from which the House will judge of the vast increase of the wealth and importance of the country, and of the rapid strides it has made in moral and political knowledge, I will now come to the other part of the inquiry, namely, whether the state of parliament is also changed, so as to represent this increased importance of the middling, the manufacturing, and the commercial classes. In proposing this inquiry, I will state broadly, that not only is the House bound to consider whether parliament represents this increased importance, but also whether the

government generally keeps up with the increase in strength and knowledge of the people; for I will assert, that no government can be stable, which does not keep pace with the increasing improvement of the people over whom it presides; and that any government which fails to make such advances, must soon come to final ruin. I take these to be positions so trite, and even so self-evident, that I should not have thought it worth while to recal them to the attention of the House, had not another and a very different theory recently found its way within their walls. I allude to what has fallen from the most liberal member of his Majesty's cabinet, one who I believe really takes an interest in the progress of liberty. That right honourable member has urged the increased information of the people as a defence of the existence of certain offices, which could be defended on no other ground. Now to assert, that in proportion as the people asked for more economy there should be more waste—in proportion as they became more honest there should be more corruption—in proportion as they became more enlightened they should have a government less able to bear investigation, are propositions so monstrous and absurd, as must in their very nature tend to the destruction of any government they are meant to support. And yet such is in fact the meaning of the defence which has been set up in this House, that an useless office should be continued because the intelligence of the people had increased. If such propositions are followed up, they will have

the certain effect of rendering the government odious in the eyes of the people—of making them doubt the value of a monarchy, and even indifferent to the destruction of our constitutional form altogether.

But to come to the question—the present state of the parliament of the country, and the relation it bears to the improved condition of the people. In looking at this part of the question, I was struck with the remark made by Mr. Justice Blackstone, who, in referring to the defects of the representation, says, that yet there was hardly a free agent in the country who had not a vote for a member of parliament in some place or another. Now, it is not to be supposed that that able commentator on our laws would have gravely made a statement which was at variance with the fact, and, therefore, his assertion must have had some foundation at the time at which he wrote: but let the present state of the representation be compared with the statement, and what a difference will be seen! We have now not only one free agent, but there are in the country at least one million of free agents—men perfectly free and independent, who have no vote for a member of parliament, though anxious to acquire the right, and in every way qualified to exercise the functions of electors. On a former occasion, when this subject was before the House, it was stated, and not denied, that a majority of the members of this House are returned by a body of electors not fully 8,000 in number—a fact utterly at variance with the increase which has

taken place in the numbers, the wealth, knowledge, and consequent importance of the people of the country. But if we look a little farther, and go a little more into detail on the subject, we shall find, that while the people go on rapidly improving, the basis of this House is gradually becoming more narrow; and instead of embracing the whole of the community as the source of their representative character, is dwindling into a sort of self-elected corporation, depending on a very small portion of that community. In making this remark, I do not mean to say it is applicable generally to the members of this House, but it is applicable to a majority, able to influence the decision of every vote of the whole.

First, with respect to the county members. I have already observed, that a great increase has taken place in the middling orders—in the commercial and manufacturing classes; but there is no commensurate increase in the number of county members. Out of 513 members (for England), there are only 92 who represent counties; and, even with respect to that number, the full and free expression of the opinions of those who have a right to vote is impeded by a variety of circumstances. Among these I will notice the enormous expenses attendant upon contested elections for counties. I will instance the county of Devon, where some freeholders have to come forty miles at each side of Exeter to give their votes. The consequence of this is, that, as few fortunes can bear the immense charges of a

warmly-contested struggle, there is usually a compromise, and one member is returned by each party, though the numbers of one party may be five or six to one compared with the other. Another circumstance, injurious to the state of the representation, is caused by the great number of landed proprietors, whom Mr. Pitt so improvidently raised to the dignity of the peerage. The result was, that those of the landed gentry who remained in the representation of the Commons did not form a body sufficiently strong in name and property to resist the votes of those who were swayed by private interests. For my own part, I am of opinion, that if only the great landed proprietors were members of this House, even if they held their situations as such for life, they would, provided their proceedings were constantly exposed to the criticism of public opinion, be found a more valuable safe-guard for the liberties of the people than the House as it is at present constituted. I will even venture to assert, that if the House of Commons were abolished altogether, and the public business transacted by the House of Lords, it would soon become more popular, and obtain more of the reverence of the people, than ever will be given to the House of Commons in its present state. My opinions on this subject are founded on the principle, that those who hold a great stake of property in the country will never consent to any measure of importance against the declared sense of the public, or which can irritate the people to resistance. I am convinced of the truth of this

remark, when I recollect what occurred in the case of the Queen, when the Lords showed a deference to the well known feelings of the people more evident than any instance I can recollect in the House of Commons.

I next would call the attention of the House to the representation of the large towns. In some of these there is a full and free exercise of the opinions of the electors; and in those instances they return men of independence to parliament; but in very many others the elections are so managed, and the rights of the voters so abridged, either by votes of this House, or by usurpation of small corporate juntas, that by degrees the number of voters is diminished, while the influence of many of those who remain is absorbed by the intrigue of corporate bodies. I will mention as an instance Plymouth, which, in the reign of Charles II., had 7,000 inhabitants, of whom 300 had votes for its members. The population has since increased to 60,000, while the number of electors is reduced to 200. I might instance other places, such as Bath and Cambridge, where the elections are managed by a small number of persons, sometimes not even resident in the towns, but who still contrive to direct the elections as they please.

I now come to notice the small towns or boroughs which return members to parliament. Of these there are 140, containing less than 5000 inhabitants each. (In all my calculations I only include England.) By these 140 boroughs, 280 members are

returned to parliament, making a clear majority of the House in the sense to which I have just alluded. Of those small towns there are 40 which contain from 3000 to 5000 inhabitants, and 100 less than 3000 each. I believe that the system which prevails in most of these places, and particularly in the Cornish boroughs, is pretty notorious. I could, if I did not fear to fatigue the attention of the House, and if the thing were not so well known, read a number of letters clearly showing many instances in which the return of members to this House, was procured by money only; by bribery the most direct: but the thing is so commonly acknowledged, so universally allowed to be the case, that it would be taking up the time of the House unnecessarily. In the last year it was admitted, that out of 44 members returned for the several boroughs of Cornwall, there were only five who were natives of that county. In another place it was urged by a minister of the Crown, as an argument against granting the forfeited franchise of Grampound to Cornwall, that the boroughs of that county represented the commercial interests; and it has even been quoted as a proof of the elasticity of the constitution, that it can thus take in and represent the new interests and the new property of the country. Good God! and is this the way in which the representation of the new interests, and the new property of the country, is to commence? I beg the attention of the House to this practice, to its origin, and to some of its consequences; and then I will ask any man, who respects

the Constitution, to say, whether the new interests, the increased wealth and importance of the country, ought to be so represented? This new representation is commenced by an open violation of one of the most sacred laws of parliament. To this is added wilful and corrupt perjury; and in the train of these there follow drunkenness and almost every species of immorality. But with all these disadvantages, with this contempt of law, this gross immorality, does the system produce any thing like representation? It does no such thing. There is no community of interests between the elector and the elected: the elector is utterly indifferent to the character, conduct, or sentiments of the man for whom he votes; and when once the price of that vote is paid, it is to him a matter of no earthly consequence whether his purchaser is a Tory or a Whig, whether he has sworn allegiance to the House of Stuart or the House of Brunswick, or even the Nabob of Arcot—whether he is a supporter of despotism or a friend to liberty.

One of the worst consequences of this system is the possession of power without responsibility. In fact, the individual thus buying himself in, represents only the commercial house to which he belongs. I remember on one occasion, a member who had got into the House by dint of money, and who was afraid lest I should criticise the means by which he had obtained his seat, came to me, and assured me, that he had no wish whatever to enter parliament, but that he did so to oblige his partners in trade.

Now, that is exactly the kind of representative which I do not wish to see in this House. I do not wish to see men returned here for commercial houses, representing only their partners, and naturally anxious to oblige government and support its measures, in order to procure patronage and favour for their establishments. I do not mean to say, that this was the case with the gentleman to whose case I have alluded; but I know that there are members who procure seats in this House for no other purpose but that of assisting the commercial houses with which they are connected. It is well known that in the war there were many good things to be given away, which it was of course a great object with commercial men to procure. There was a license for trade to the West Indies given to one house, which I am informed was worth at least £15,000. Is it not natural to suppose, that such a grant must give no small bias in favour of government to the political sentiments of the parties?

Another circumstance arising out of the representation of the small boroughs is, that it is generally procured by the supporters of government. There are few who would wish to expend such a large sum of money as will buy a seat in parliament, for the pleasure of constantly voting in minorities. Many of those who are returned for these places may have a conscientious disposition to support the measures of government, and therefore come into parliament, in order, by such support, to forward the interests of their country. Others come in

with the view that, by assisting the minister, they may obtain a share of his patronage. But whatever may be the views of those who procure a seat in this House, in order to support the government, whether conscientious or corrupt, it is interest, and interest alone which induces the greater number of the immediate patrons of these boroughs, to apply to ministers for a candidate. The attorney who has obtained an influence in a corrupt borough —the middle man—who performs the disgraceful office of handing over the bribe—keeping half as a fee for himself—from the elected to the elector, has no better way of preserving his hold on the borough than by obtaining the disposal of government patronage in the place and its neighbourhood. He goes to the minister to offer the seat: the minister recommends his friend—his friend, sometimes assisted by the minister, pays his money for the seat. Thus a permanent connection is established between the minister and the borough patron; the one secures a member to support him in parliament, the other confirms his own possession in the lucrative property which produces members of parliament.

Besides this general connection, it is notorious, that some of the small boroughs are so overrun with ministerial patronage, as to be completely in the hands of government. That for which the right honourable the Chancellor of the Exchequer (*Mr. Vansittart*) sits, is of this description. So many situations in the post-office, the packet-office, and other public departments, are held by persons connected

with it, that government may be said to have the entire command of the seat; and it is impossible that any independent inhabitant can ever hope to possess the smallest influence there.

But allowing the existence of the abuses I have exposed, there arises another question, whether these abuses have made themselves practically felt in the government of the country. In reference to this question, and in answer to an exposition of abuses somewhat similar to that I have just made, when the subject was brought forward, on a former occasion, Mr. Windham, who was opposed to all reform, observed, that no practical evil resulted from the system of representation, and, with his usual liveliness of expression, likened the petitioners for reform to the man mentioned in the "Spectator," who had every symptom of the gout except the pain. This, however amusing, is a very unphilosophical view of the question, and is directly in the teeth of the remark of Bacon, who says, with equal truth and sagacity, "this is true, that the wisdom of all these latter times in princes' affairs is rather fine deliveries and shiftings of dangers when they are near, than solid and grounded courses to keep them aloof. But this is but to try masteries with fortune: and let men beware how they neglect and suffer matter of trouble to be prepared; for no man can forbid the spark, or tell whence it may come." Notwithstanding the evident existence of these abuses, however, I should be hopeless of carrying conviction to the minds of the House, if many of

those abuses had not become visible in their effects. We have now the pain, along with other symptoms, and are suffering severely from the inadequacy of this House to represent the people. By these sufferings it is, that the minds of men are thoroughly convinced of the necessity of reform; and though the opinion of most is, that it could not immediately remedy many of the disorders which its delay has produced, yet it would at least have this effect, of affording a security for good government in future.

In looking at the evils arising from an inadequate system of representation, it must strike every one, that a parliament might go on for a long time without representing the people, and yet without appearing to have very distinct interests. The consequence would be, that the evil would not be so immediately felt. For instance, the people might be eager for a war, and it might be the interest of a corrupt parliament to encourage them to carry their wish into execution. The country might be governed by a good and enlightened minister, and it might be the interest of a corrupt as well as of an honest parliament to support that minister. The people might wish for a reformation in the laws, and there might be nothing in the interests of the most corrupt House of Commons that should induce them to oppose that reformation. There might thus be some cases in which no injury would result to the public from such a system as I have described; but there are other cases which cannot fail to convince even the most incredulous on the subject, that what

they have long been accustomed to consider a complete system of representation, is really incomplete and imperfect.

To exemplify what I have just said, I will take the liberty of reviewing, as shortly as I can, what has occurred since the motion for reform which Mr. Pitt made in the year 1785. For some time after Mr. Pitt became minister, he escaped all odium, as well by the merit of his own measures, as by the unpopularity of the coalition. Indeed, I consider the measures of Mr. Pitt, after his first accession to office, to have been eminently wise, economical, and just. They were followed by great popularity, which enabled him to conduct the affairs of government, for some years, without the people feeling any necessity of a change being made in the system of representation. Mr. Pitt gave currency to the idea, that the evils of a defective representation might not be felt upon all occasions, when, upon Mr. Flood's motion for reform in 1790, he said, that he was as firm and zealous a friend of the question as he had ever been, that he should be ready to propose his motion for it again, whenever a proper opportunity should arise—that it was true, that, for some time, the inconveniences of a want of reform might not be felt; but they would be felt in certain contingencies.

Passing over some years of peace, Mr. Pitt entered upon the war in 1793, having on his side, as he believed, the greater part of the property of the country. I am ready to admit, that the monied

men of the country, alarmed by the terrors of Jacobinism—whether justly or no I will not now stop to determine—did enter willingly at first into the war. At a later period, however, it appeared from general testimony that the disposition of the country tended towards peace. Their disposition was gratified two or three years afterwards by the peace of Amiens. That peace, as all of us know, was only of short duration. We entered upon a fresh war, and continued it for a few years, without any discrepancy appearing between the conduct of the parliament and the wishes of the people, or at least without the people's expressing any earnest desire for a reform in their representation. Yet let it not be supposed, because the people did not cry out for reform, it follows, that the government was conducted in exact accordance to their sober and just opinions. For it is of the nature of the people to push obedience almost to a fault. Nothing can be more false than the opinions of those who maintain that agitators can easily, and without cause, excite the people to tumultuous and seditious practices. So far is this from being the case, that the disposition of every people is naturally hostile to agitators; indeed, it is so strongly in favour of government, that the general mass of a country never can be induced to see abuse until it becomes intolerable, or be persuaded to take measures of precaution against a contingent loss of property and liberty: nay more, they will frequently even submit to the greatest evils of misgovernment,

before they venture to utter one word in their own behalf.

In the course of the war, however, some instances occurred, which could not fail to excite in the minds of a sensible nation, a lively attention to the acts of its representatives. The strongest instance that I now recollect is, the resolution of this House on the expedition to Walcheren, in 1809. That expedition was an instance of as singular misconduct and incapacity on the part of the government, as was ever displayed in any expedition sent out from this country. There was nothing alleged in this House, either in support of the original plan, or of the mode of its execution. No untoward accident had happened to prevent its success; the enemy scarcely offered any resistance; every thing went on as well as the planner of the expedition could wish; and yet the result of it has been nothing but disgrace and calamity to the country. It was so fatal as to realise the cries of the children of Israel to Moses in the wilderness—"Because there were no graves in Egypt, hast thou taken us away to die in the wilderness?" And yet, upon that expedition, failing as it did in all its objects, attended as it was by the utmost disgrace and calamity, the House of Commons of that day was not contented with conferring a vote of silent approbation, but absolutely resolved upon a formal eulogium, and entered that eulogium upon its Journals, in order to prevent the removal of the ministers who had devised and supported so absurd a project! This fact

was so strong and so striking, that it convinced many who had before held different opinions, and made them feel that there was no community of interest between the parliament that could sanction such an expedition, and a people which were execrating the planners of it, and calling for their condign punishment as an atonement to the thousands of their countrymen who had been unnecessarily and wantonly sacrificed. The result of that resolution of the House of Commons is, that the projector of that most calamitous expedition (*Lord Castlereagh*) is now the leader of this House, and the general who conducted its execution (*Earl of Chatham*) is in possession of one of the most splendid rewards that it is in the power of the Crown to bestow.

The general popularity, however, of the Spanish war—a war in which I confess that I took a very strong interest—and the hopes which the people had of overcoming that sovereign who appeared to aspire to the domination of the whole earth, enabled ministers to cast a veil over the errors they had committed, and to conceal the faults of which they had been found guilty. The people again bestowed their confidence on the House of Commons, and certainly that confidence was taken advantage of in the fullest manner. Every abuse was promoted, every job was advanced, every opportunity was seized to turn the facility of the people to their own disadvantage, and to increase the heavy burthens under which they were labouring.

It was when the war was brought to an end that the question of parliamentary reform again attracted the attention and excited the feelings of the country. It then became a question between the two parties in this House, whether we should have a large, expensive military government, or a cheap, economical, civil government. It was evident on which side the interest of the people was on such a question; it was also evident, that if the House of Commons fairly represented the people, it would speak in unison with the wishes of the people; but it was likewise manifest, that if it did not fairly represent the people, it would provide for the private interests of its members, which, on that occasion, were directly opposed to the interest of the community. Here, then, we should have the House and the people at issue. The question was one from which the constitution of the House of Commons could be fairly ascertained; it was an experiment on the subject which might very fairly be called *experimentum crucis:* it was then to be decided what were the nature of its claims to public regard and to public confidence. That question was decided, and was decided against the reputation of this House. For it voted a standing army of 99,000 men, and other establishments of corresponding magnitude.

On a former occasion I have shown, that those establishments, though they were sanctioned by a majority of the votes of this House, were not sanctioned by the majority of the members for counties. And here I may be permitted to observe, that the

members for counties may be fairly considered as the real representatives of the people, though from the expense incident to county elections, they are not now so completely popular as they would become were that expense to be diminished. Now it ought never to be forgotten, that the county members had opposed this immense military establishment by a majority of 3 to 2, whilst the House of Commons had sanctioned it by a majority in the very same proportion, and had imposed on the community those heavy burthens to which a great part of their present sufferings might be fairly attributed.

In looking in a general view at the votes which have been given within the last four or five years, relative to questions of economy and retrenchment, a noble friend of mine, the member for Yorkshire, (*Lord Milton,*) whom I do not now see in the House, has made a calculation of the manner in which votes have been given for ministers or against them by the representatives of the larger and the smaller towns. I have myself made a similar calculation from data, which I found in a pamphlet called the Elector's Remembrancer, stating the distinct votes of each particular member. My noble friend has formed his calculation chiefly from memory. I have taken my calculations from the book I have mentioned, without at all inquiring whether the parties were deemed ministerial or not. I have considered all those as ministerial voters who have never voted at all in favour of reduction, and have put down those as opposition members who have voted three times in

favour of popular measures, even though they voted in general in behalf of ministers. I think that such a calculation is a fair test of virtual representation, and a fair test, also, of the value of an opinion which has been sometimes advanced in this House, that the members returned by the small towns are as much the representatives of the feelings of the people as those returned by the large towns.

In speaking of popular questions, I chiefly allude to those which refer either to the Queen or to retrenchment. These two subjects have certainly interested the country more than any others which have come before parliament. I will now mention what were the results of the different calculations made by myself and my noble friend. I will give my noble friend's calculation first, premising, at the same time, that my noble friend considered as neutral, those members who cannot fairly be said to support or oppose ministers constantly. In my calculation I have left out entirely those who appear never to have voted.

According to my noble friend there are 33 boroughs, in each of which there are less than 1,000 inhabitants; out of the members for those boroughs 12 have voted against ministers, 44 for them, and 10 neutral. There are 35 boroughs, containing less than 2,000 inhabitants each; of their members, 15 vote against ministers, 45 for them, and 8 neutral. There were 76 boroughs, containing less than 5,000 inhabitants; out of the members for them, 48 vote against ministers, 93 for them, and 10

neutral. There were 25 boroughs, containing from 5,000 to 10,000 inhabitants each; out of the members for them, 22 vote against ministers, 27 for them, and 1 neutral. And in 31 boroughs, containing 10,000 inhabitants each and upwards, there were 38 members against ministers, only 21 for them, and 5 neutral.

Now, my own statement is not very different from that which I have just read to the House; and as the House has heard the one with patience, I will trespass on its attention with the other. From the members of the boroughs under 500 inhabitants, there was 1 member in favour of reduction, and 19 against it. From the members of the boroughs containing from 500 to 1,000 inhabitants, there were 12 for, and 33 against reduction. From the members of the boroughs containing more than 1,000 and less than 2,000 inhabitants, 17 were for, and 44 against reduction. From the members of the boroughs containing more than 2,000, and less than 3,000 inhabitants, 19 were for, and 46 against reduction. From the members for the boroughs containing 5,000 inhabitants, there were 25 for, and 44 against reduction; and from those from the boroughs containing more than 5,000 inhabitants, there were 66 for, and only 47 against reduction.

Now, the general result of this calculation goes to show, that the proportion in favour of ministers diminishes as the size of the places increases; for, combining the two calculations I have just read to the House, the proportion is in the first instance as

19 to 1 in their favour; in the second, as 3 to 1; in the third, as 2 to 1; in the fourth, as 4 to 3; in the fifth, as 3 to 5; so that in the last case it is 5 to 3 against the administration, and for retrenchment.

Now these are facts which ought to convince the most incredulous, that the small towns do not represent the interests of the people as well as the large towns. They speak for themselves, and need no further illustration from me. But besides these facts, others have occurred during this session of parliament, which afford results equally striking. I shall take two questions which have been discussed in it, and which undoubtedly are of great public interest and importance: the one relates to the salt-tax, the other to the office of postmaster-general. Upon the salt-tax the numbers were 169 in favour of its continuance, and 165 in support of its abolition. Out of these 165 members, there were 42 for English and Welsh counties, and 55 for the large towns; of which towns there are altogether not more than 56; so that in this small number of 165, less than a third of the English members, we have nearly a majority of the whole number of English members for counties and large towns. Now out of the 169 members, who formed the majority on that occasion, I cannot make out more than 14 county members, though I can make out 61 placemen, of whom only 10 can be in any respect considered as nominees of counties or of large towns. I trust, that after such a statement, I shall not hear

it averred again, that, while the ministerial side of the House contains the representatives of large and populous towns, the Opposition benches are filled with nothing but nominees sitting for rotten boroughs.

The division on the office of postmaster-general was still more decisively in favour of the proposition which I wish to establish. There were 159 members for the abolition, and 184 for the continuance of that useless office; so that there was a majority of 25 in favour of the office and of ministers. Of the 159, 29 were the representatives of English and Welsh counties, and 40 the representatives of large towns, making together a total of 69. On the other side, I cannot make out more than 11 county members, and 23 members for large towns, making a total of 34: that is to say, that out of those members who were really elected by the people, there were 69 for abolishing, and only 34 for continuing the office. If there be any fact that can make an impression upon the House, it is that which I have just mentioned. Upon that question we have an illustration of the *admirable* theory I before alluded to, and of which we have lately heard so much—I mean the theory that the House represents not only the people, but also the Crown and the House of Lords. Upon that question we had an instance of the representatives of the Crown and of the House of Lords overbalancing the representatives of the people, until they were completely merged in a minority; and be it observed, that the

question upon which the representatives of the Crown and of the House of Lords so overbalanced the representatives of the people, was a question whether we should maintain an office that was in the patronage of the Crown, and had been conferred upon a member of the House of Lords. Let it be also recollected, that upon that memorable night the doctrine was first advanced, that useless offices ought to be maintained as a counterpoise to the increasing intelligence of the people—a doctrine which my honourable and learned friend the member for Knaresborough (*Sir J. Mackintosh*), with his knowledge of constitutional history, has declared to be altogether new; and at which the honourable member for Corfe Castle (*Mr. Bankes*) has expressed himself to be alarmed; and let it also not be forgotten, that that doctrine, new and alarming as it was, has been sanctioned by those who were not the representatives of the people, but who personated, on this occasion, the House of Commons, and declared and avowed this theory as their principle of action.—I will ask any man who looked at this question—who saw the confusion of different branches of the constitution which was thus created —who beheld the public money unsparingly granted by those who were afterwards to reap benefit from the disposal of it—who perceived control assumed over the public expenditure for the purpose of more effectually sanctioning abuse, screening delinquency, and opposing the wishes and petitions of the people for reduction—I will ask any man, who took all the

points to which I have just referred into consideration, whether it is any exaggeration to say, that every lover of liberty ought to feel alarmed at the danger to which the British constitution now stands exposed?

Having stated thus much of the practical evils resulting from the present system of representation, I must be permitted to observe, that there are other evils to which it has given rise, much more grievous to a friend of freedom than any which I have yet mentioned. The natural balance of the constitution is this—that the Crown should appoint its ministers, that those ministers should have the confidence of the House of Commons, and that the House of Commons should represent the sense and wishes of the people. Such was the machinery of our government; and if any wheel of it went wrong, it deranged the whole system. Thus, when the Stuarts were on the throne, and their ministers did not enjoy the confidence of the House of Commons, the consequence was tumult, insurrection, and civil war throughout the country. At the present period, the ministers of the Crown possess the confidence of the House of Commons, but the House of Commons does not possess the esteem and reverence of the people. The consequences to the country are equally fatal. We have seen discontent breaking into outrage in various quarters—we have seen every excess of popular frenzy committed and defended—we have seen alarm universally prevailing among the upper classes, and disaffection among the lower—

we have seen the ministers of the Crown seek a remedy for these evils in a system of severe coercion—in restrictive laws—in large standing armies—in enormous barracks, and in every other resource that belongs to a government which is not founded on the hearts of its subjects. I may be told, that in the divisions which took place on the enacting of those restrictive laws, the names of many friends of freedom are to be found. If I am obliged to admit this, and even that there are some personal friends of my own, for whom I bear the greatest respect as sincere partisans of liberty, who, nevertheless, have assisted in imposing those restrictions upon the people, which sweep away many of the provisions of Magna Charta and the Bill of Rights, and materially diminish the ancient privileges of Englishmen, I shall at the same time say, that I observe the occurrence with regret, and deplore the more the fatal mistake which has been committed. It is my persuasion that the liberties of Englishmen, being founded upon the general consent of all, must remain upon that basis, or must altogether cease to have any existence. We cannot confine liberty in this country to one class of men: we cannot erect here a senate of Venice, by which a small part of the community is enabled to lord it over the majority; we cannot in this land, and at this time make liberty the inheritance of a *caste*. It is the nature of English liberty, that her nightingale notes should never be heard from within the bars and gratings of a cage; to preserve any thing

of the grace and the sweetness, they must have something of the wildness of freedom. I speak according to the spirit of our constitution when I say, that the liberty of England abhors the unnatural protection of a standing army; she abjures the countenance of fortresses and barracks; nor can those institutions ever be maintained by force and terror that were founded upon mildness and affection.

If we ask the causes, why a system of government, so contrary to the spirit of our laws, so obnoxious to the feelings of our people, so ominous to the future prospects of the country, has been adopted, we shall find the root of the evil to lie in the defective state of our representation. The votes of the House of Commons no longer imply the general assent of the realm: they no longer carry with them the sympathies and understandings of the nation. The ministers of the Crown, after obtaining triumphant majorities in this House, are obliged to have recourse to other means than those of persuasion, reverence for authority, and voluntary respect, to procure the adherence of the country. They are obliged to enforce, by arms, obedience to acts of this House—which, according to every just theory, are supposed to emanate from the people themselves.

Nor is it one of the least evils of this system, that the ministers themselves are often compelled to retract their measures and alter their policy. If the House of Commons represented the people, the

ministers would have no other difficulty than that of making their measures palatable to that assembly. Once sanctioned there, they would naturally obtain the cordial and affectionate concurrence of the country. But, in the present state of things, ministers are obliged to follow a winding and uncertain course; they are to be seen supplicating in one quarter, bribing in another, menacing in a third; they employ the whole session in courting the approbation of the great proprietors of the boroughs, and then, after the prorogation of parliament, they frequently find their whole web of policy undone by the sense of the country; and why? Because, in spite of the approbation of the House of Commons, a free press and a public opinion dare to condemn their conduct, and have power enough to prevent their measures being carried into effect.—Thus, to quote one instance among a thousand, after the House of Commons of 1816 gave their sanction to a standing army of 99,000 men, the remonstrances of the people have compelled the government, by repeated clamours, to reduce it to 68,000, only two-thirds of the original establishment.

Now, in proposing reform, I propose a measure which must be for the advantage of a wise and good administration; nay, it ought to be wished for even by the present ministers. For my own part, I will confess that I have never seen in them any dark or dangerous designs of destroying the liberty of their country: all that I have been able to observe in them is little inclination to do any thing, either good

or evil, so long as they were permitted to retain unmolested the advantages they derive from power, place, and profit. I believe, that in most cases it is perfectly indifferent to them whether the measures they carry are those which they themselves originally proposed, or those which have been altered, framed, and dictated by the indignant sense of the country. I wish them, therefore, to find at once in parliament an echo of the public voice; to have it in their power to avoid the odium and disgrace of carrying in this assembly measures which they afterwards abandon; to be able, without the delusive support of a majority not acknowledged by the country, to feel at once in this House the pulse of the people of England. Such a reform, I am convinced, would be at once an advantage to the Crown, a blessing to the people, and the safety of the balance of the constitution.

In these conclusions I am happy to think that I am supported by great weight of authority. Lord Clarendon, it is well known, speaking of Cromwell's parliament, in which the number of members for counties was greatly increased, and the smaller boroughs totally omitted, says, it was generally thought "a warrantable alteration, and fit to be made in better times." Mr. Locke complains of the representation of decayed boroughs, and particularly of Old Sarum. Without entering more into detail, I may say, that Mr. Justice Blackstone, Lord Chatham, Mr. Fox, and Mr. Pitt, all concur in recommending a temperate and rational reform.

Thus you have the sanction of Lord Clarendon, the most venerable of Tory statesmen; of Locke, the most liberal of Whig philosophers; of Blackstone, the most cautious of constitutional writers; of Chatham, the boldest of practical ministers; of Mr. Pitt, the theme of eulogy to one great party in this country; of Mr. Fox, the object of affectionate admiration to another. Such an union of the great authorities of men, however different in temper, however opposed in politics, of men forming their judgment upon the most different grounds, living in different times, and agreeing in their conclusions upon hardly any other topic, strikes me as presenting a moral combination in favour of my proposition, that is in itself almost irresistible. The opinions of the men whom I have named are blended in our minds with all that is venerable in our constitution and our laws; their united suffrage in favour of any new measure, gives to the mind much of that confidence, which in general is only obtained by following the lessons of experience; it takes away from reform all the ruggedness of innovation, and constitutes, as it were, a species of precedent in favour of the course which I am urging you to pursue.—Against these authorities I know of no equal names which can be adduced on the other side. There are, it is true, Mr. Burke and Mr. Windham, but they were both, perhaps, men who displayed more fancy than deep reflection in the view which they took of this question, and who have certainly left on record no confutation of the powerful argu-

ments of the great statesmen, who thought differently from them on the subject.

Having now had the honour of stating to the House the unprecedented advance of the country of late times in wealth and knowledge; having stated the great increase of corruption which has crept into the elections, and how much confined the popular force has become in influencing the various modes by which members obtain seats in this House; having also stated the practical injury which has ensued in the wide distinctions prevailing on some great public questions, between the opinions of the people of England and of the members of this House, I now come to the consideration of a plan which I think calculated to remedy a great part of the existing evil. In considering what that plan should be, I have naturally directed my attention to the remedial measures which have been heretofore suggested by persons of weight and authority on this subject. The proposition of Lord Chatham was to add 100 to the number of knights of the shire sitting in this House. Mr. Pitt, likewise following the footsteps of his father, at first proposed an addition of 100 to the number of county members. Mr. Flood, in the year 1790, proposed the same numerical accession of strength to the representation, to be elected by householders throughout the country; and Mr. Fox at the time remarked, that the plan of Mr. Flood was the best he had ever seen submitted to the consideration of parliament. Feeling, therefore, the weight and influence of such great authori-

ties, I shall adopt their number in my present proposition.

My plan will then be, that a hundred new members shall be admitted into this House; and, as far as I have formed any settled opinion about the distribution of that number, the leaning of my mind is, that 60 members should be added for the counties, and the remaining 40 of the 100 should be for the great towns and commercial interests of the country. However, as to the manner of distribution and the mode of election, that is a branch of the subject which ought to be reserved for the gravest and most deliberate consideration, after the present motion shall have been carried.

It may, however, be said, that since the time when Chatham, Pitt, Fox, and Flood called for an addition to the number of members in this House, their proposed number of 100 has, in point of fact, been added by the Irish Union, which it is known has given that numerical addition to our body. Nor is there any reform more generally unpalatable than that which proposes to add to the numbers of this House, already rather too large than otherwise. In order to get out of this difficulty, I should say, that a number to the same amount as that given for the representation of Ireland might be struck out of the present list, with great benefit to the country; for instance, let the hundred be taken away from the hundred smallest boroughs, which return each two members to sit in parliament. Let these boroughs return but one

member each, and then the present number of the House will be retained.

In proposing this plan, I cannot but recal to the recollection of the House, that it was not long ago since I hoped, that much of the real advantages of reform might have been obtained by the detection of prevailing corruption at the borough elections, and the filling up of vacancies so detected by a more popular form. By these means it was possible that a great popular representation might have been introduced, to the exclusion of a wide spreading corruption. In the hope of accomplishing such a change, I moved for a committee last year, to consider of the means of legally convicting boroughs of notorious corruption; and I am not sure that, if the matter had been then taken in a spirit of sincerity, it would not have effected, in a silent and gradual manner, an adequate reform in parliament. But to be efficacious, it requires the whole co-operation of this House, and such an aid, I am sorry to declare, I have not been so fortunate as to obtain. I am sorry that the House did not, on the occasion to which I allude, evince the sincere wish I had hoped for, to put down corruption. They agreed, it is true, to punish any specific act of corruption, whenever the particular case was brought under the consideration of parliament; but they would not agree to enact the only measures which were calculated practically to put down the evil they professed so anxious a desire to correct. In that respect their conduct resembled that of a police magistrate,

who should declare his readiness to convict any notorious thief who might be brought before him, but who at the same time should proclaim, that though he knew there were bands of thieves nightly prowling through the streets, he would not send out a single officer of police to apprehend and detect them.

The indifference of the House to the measures I then proposed has compelled me to look for others more calculated to insure the co-operation of the country at large, and to obtain from the House, in the gross, that reform which they were unwilling to effect by gradual and unpretending means. I therefore press for your consideration the plan which I have now opened: I think it the best and safest proposition which can be suggested for the remedy of a notorious and growing evil.

There are, obviously, many minor details, into which it is unnecessary for me now to enter, and which can only be conveniently considered in a future stage of this proceeding: such, for instance, is the discussion whether copyholders ought to be permitted to vote in the counties; but these matters, I repeat, had better remain over until after the introduction of a bill defining the outline of my plan. The first step must be to ascertain whether the House will consider at all the question of parliamentary reform. If they once admit the necessity of the principle for which I contend, then I have no doubt they may hereafter, with little difficulty, become reconciled to the measures for its

practical application. I think, under such circumstances, the modification of details might easily be accomplished. Leaving, therefore, all these details for future consideration, I will shortly state the answers that strike me as applicable to some of the objections which I have heard from time to time made to the expediency, if not to the principle, of parliamentary reform.

The first and most plausible objection against any alteration in the present constitution of the small boroughs is, that they constantly furnish the means of bringing into parliament men of great talents. This is an advantage which I am not in any way disposed to undervalue; but it is one which I submit would remain after my plan is adopted. I have no objection that a number of these boroughs should remain as they now stand; but what I object to respecting them is, that the small boroughs are so numerous, according to the present system, as not only to have their proper weight in the scale of representation, but to have, in addition, the means of commanding a preponderating majority in parliament. They thus give the sanction of a general parliamentary assent to measures which have in the main received only the concurrence of a number of individual borough-proprietors. We are thus, for the sake of obtaining a few men of talents, sacrificing the great end of parliamentary representation, the expression of the feelings and interests of the people. In order to preserve the show, we are

giving up the substance of a legitimate House of Commons:

> "Thus, if you dine with my Lord May'r,
> Roast beef and venison are your fare;
> But tulip leaves and lemon peel
> Serve only to adorn the meal;
> And he would be an idle dreamer,
> Who left the pie and gnaw'd the streamer."

The next objection to which I shall advert, is founded on that inveterate adherence to ancient forms, however unsuitable, to old practices, however abusive, which influences so greatly the decisions of the English parliament. As this objection has its strength more in the feelings and affections, than in any logical argument upon which it is grounded—as it rests on superstition rather than on reason, I know not how to meet it better than by referring to an example in ancient story. The instance I allude to occurs in the history of Rome; and here I must entreat the attention of the honourable member for Corfe Castle, who may be styled the tory commentator, as Machiavel may be styled the whig commentator on Roman history. About 370 years after the foundation of Rome, there arose a contest, not very unlike the question we are now debating, whether the two consuls should continue to be chosen from the patricians, or whether one should be chosen invariably from the plebeians. Appius Claudius, who was the prime advocate of aristocracy and existing institutions in that day, argued, that the greatest evils

would follow if any change was made in the ancient forms. He contended, particularly, that none but a patrician could take the auguries—that if any alteration were made the chickens would not eat—that in vain they would be required to leave their coops. The language given to him by Livy is, "Quid enim est, si pulli non pascentur? Si ex caveâ tardius exierint? Si occinuerit avis? Parva sunt hæc: sed parva ista non contemnendo majores nostri maximam hanc rem fecerunt." Such was the reasoning of the Roman senator: reasoning, be it observed, not very different from that which is used to show, that our whole constitution will be subverted, if any invasion is made on the privileges of Old Sarum. But what was the result? After a successful war against a foreign enemy, Camillus the dictator had to encounter the most dangerous seditions at Rome, raised on this subject of the consulship. What did he and the senate do? It will be imagined that they passed restrictive laws; that they prohibited public meetings of more than fifty persons in the open air; that they punished the seditious orators, and restrained the liberty of speech for the future. No such thing. They assented to the petitions of the people. "Vix dum perfunctum eum bello atrocior domi seditio excepit; et per ingentia certamina dictator senatusque victus, ut rogationes tribuniciæ acciperentur; et comitia consulum adversâ nobilitate habita qui-
peopl[illegible] L. Sextius de plebe primus consul factus." And [illegible] the consequence? Discord and calamity?

Quite the reverse. After some further contest, the whole dispute terminated in favour of the people; and the senate, to celebrate the return of concord between the two orders, commanded that the great games, the *ludi maximi;* should be solemnised, and that an additional holiday should be observed. Rome increased in power and glory; she defeated the Samnites; she resisted Pyrrhus; she conquered Carthage; nor in the whole of her famous history is any complaint to be found on record, that the chickens declined to eat, or that they refused to leave their coops on account of the plebeian consul. The honourable member for Corfe Castle, in relating this circumstance, attributes the concession of Camillus to two reasons; first, that he thought it prudent to grant what could not long be refused; and, secondly, that he was weary of bearing popular odium. Now, I beseech the honourable member to follow the example of Camillus: let him grant what we cannot much longer refuse, without danger to ourselves and ruin to our country. Let him rest satisfied with the odium we have already acquired, and consent to change a course which has made us so obnoxious to the people of England.

Another objection which I have heard made to reform is, that the people, if not numerically, are at least virtually represented; and as the clearest proof of their agreement in the judgment of parliament, it is stated, that when that judgment is once pronounced, they acquiesce in it without resistance, and the agitations upon that subject immediately cease

throughout the country. This is to my mind any thing but a test of popular confidence in the wisdom of parliament. The acquiescence thus spoken of, is what in fact has constantly appeared in the conduct of the people under every government throughout the world. For it is one thing for the people to complain, pending the agitation of any question, and another and very different matter to incur the risk of criminality, by declaring any violent dissent from the final adjudication of the constitutional authorities under which they live. The practice of the people is, to express their opinions while a great question is undecided; but when the decision of the supreme magistrate once takes place, they have only to choose between bowing to his authority, or acting in rebellion to his power. The people of England, who are distinguished above all other nations for their respect to law, whose characteristic is a submission to what has been adjudged to be legal, know very well that a decision of the King and his ministers may be altered, but that, once confirmed by parliament, the act is complete and final: therefore, while a measure is ministerial, they complain; when it becomes parliamentary, they are silent. But nothing is more irrational than under such circumstances to infer the approbation of the people from that silence. When the parliament decided upon the propriety of omitting her late Majesty's name from the Liturgy, did the people, because they then petitioned no more, acquiesce in the justice of that decision? Were they, when they abstained

from remonstrating against the continuance of two postmasters-general, to be supposed as adopting the decision of this House, that two were necessary? All that ought to be inferred from the people's silence, when so situated is, that a sufficient case for actual resistance had not yet occurred, and that it was useless for them to protest against the decision of parliament. I think the people judge wisely, because, in the times in which we live, the abuses they endure, though flagrant, do not amount to a justifiable ground for actual resistance. But let not any thing be inferred from their obedience, even if pushed still farther. The people, under the very worst species of tyranny, are often found sullen and silent victims. Does the House not know the perfect obedience which was paid to the acts of James II.? Was that tyrant not surrounded in his worst hour of misgovernment by adulatory lawyers, by subservient addressers, by servile surrenderers of corporate rights—in short, by every being who was ready to prostrate the liberties of his country? Did not James enjoy the full measure of this sort of obedience until the evils of his misrule at length compelled him to abandon his throne? Was not the Russian Emperor Paul, notoriously tyrannical as he was, obeyed, by the vast population of his empire during years of oppression, and up to the moment when the bowstring put an end to his despotic career? Was not Ferdinand of Spain obeyed when he signed with his own hand the death-warrants of his best subjects, until at last the

flame of popular discontent, which remained so long smothered, burst forth in the blaze of rebellion, and consumed all the bulwarks of his arbitrary rule? No doubt that, in the day of these tyrannic acts, the inflictors of them thought, as some men are disposed to think here, that the people were in willing and satisfied obedience because they abstained from open resistance; and there were bad advisers to press for the continuance of fatal and desperate measures, until at length they became intolerable, and recoiled upon the heads of the abettors of them with ruin and destruction. The same fate will befal England, if similar measures are pursued to a desperate extremity. Suppose a war arose, not of the people's own seeking, though the minister were to secure for it the approbation of parliament—suppose it led to bankruptcy and general confusion, in that melancholy hour, what answer would the uniform opposers of reform have for those whose advice, if timely attended to, would have saved the institutions of their country? What security would you have then that the reform which has not been made from within, may not come with a vengeance from without?

And now, lastly, I come to an objection, which, in the failure of all other argument, after the defeat of every specific and tangible objection, is always brought forward as a complete bar to every proposition of reform. This consideration, which addresses itself rather to the nerves than to the understanding of those on whom it is meant to operate, is the ex-

ample of the civil wars of England and the French Revolution. I likewise beseech your attention to the civil wars of England and the French Revolution; but I beg of you that it may be a sober attention, worthy of men and of Englishmen. And first let me ask, will any man say, that it would have been right to permit Charles I. to abolish parliamentary government, to levy money by his own authority, and supersede the ancient liberties of England by the doctrine of divine right?—that it was not lawful and praiseworthy to resist a system of despotism, not intended, not projected, but actually established in England in the early years of that reign? Or will any man say, that the mean debauchery of Louis XV. was a fit employment for the resources of a great nation like the French? That the abuses of the French government did not require reform? If there be any man who will say this, let him enjoy his opinion if he will, but let him not presume to think himself worthy to enjoy the benefits of the British constitution; and, above all, let him not venture to think his counsels can be listened to in a British parliament.

I assume, then, and let us now confine our attention to one of the two countries—I assume, that Lord Clarendon, and Lord Strafford, and Lord Falkland were right in their early opposition to the misgovernment of Charles I. But why not stop, it will be said, like Lord Clarendon and Lord Falkland? Alas! Sir, who shall say that the policy of Lord Clarendon and Lord Falkland would have procured

for us a system of liberty? Who will venture to lay his finger upon that point in the History of Charles I., when it would have been possible to save the monarchy without losing the constitution? Who shall presume himself to possess more learning than Selden, more sagacity than Pym, more patriotism than Hampden?

The question, in fact, was involved in inextricable difficulty. From all I have read, and all I have thought upon this subject, I take the cause of that difficulty to be this: The aristocracy were divided; they were divided between a larger party, who were satisfied to bear arbitrary power for the sake of property and tranquillity; and a smaller party, who were ready to sacrifice property and even life for the sake of destroying arbitrary power. But this last party, being the minority, were obliged to call to their aid the assistance of the people. Now the history of the world shows, that to accomplish great changes in government by the active agency of the people, is a task of great hazard and uncertainty. The people, in a state of agitation, are, in times, like those I speak of, naturally suspicious: they awake from a dream of confidence, and find that their facility has been abused by those rulers in whom they had implicitly trusted. In this wreck of all their established reliances, in this anxious desire for the benefits of freedom, in this tremorous apprehension of falling back into slavery, what wonder is it that their fears should be continually roused, that they should listen to accusations even

against their best friends, and that, with a mixture of zeal and timidity, they should destroy the beautiful temple at the same time that they tear down the foul idol that it contains? What matter of surprise is it, that unable to know exactly the truth, they should rase the very foundations of a society under which they have greatly suffered?

But how are these evils to be avoided? How are these natural and usual calamities, attendant on popular revolutions, to be averted? By a united aristocracy. History here, too, tells us, that if great changes accomplished by the people are dangerous, although sometimes salutary, great changes accomplished by an aristocracy, at the desire of the people, are at once salutary and safe. When such revolutions are made, the people are always ready to leave in the hands of the aristocracy that guidance which tends to preserve the balance of the government and the tranquillity of the state. Such a change was the expulsion of the Tarquins from Rome; of James II. from England. These were revolutions accomplished without bloodshed and confusion, by the influence of an united aristocracy. I call upon the aristocracy of England, therefore, now to unite to make that change safe, which, if they do not unite, may be dangerous, but which will not be the less inevitable. I call upon the Tories to stay the progress of abuses, which must end in the convulsion of the state. I appeal still more confidently to the Whigs to unite for a similar object. If I know any thing of Whiggism, the

spirit of Whiggism is, to require for the people as much liberty as their hands can safely grasp at the time when it is required: and I am so far from agreeing to the flimsy accusations sometimes made against the Whigs, that I think, looking at their conduct from the beginning, their chief fault has been a fault of policy, in asking for more freedom and more securities for freedom than the people wished or could retain. The exclusion bill and the whole life of Mr. Fox are instances of this observation. When at the revolution, however, the government of this country was settled, the Whigs retained in their own hands the boroughs which they were able to influence. I really believe that to this measure the settlement of the house of Hanover is mainly owing. During the reigns of the two first kings of the house of Brunswick, the county members consisted almost entirely of the most determined Tories: and had they prevailed, we should probably have seen upon the throne the descendants of James II., granting, perhaps, more securities for our religion, but not more guarantees for our liberty than James himself. I think, therefore, the Whigs were fully justified in retaining a certain quantity of borough influence, which they could not otherwise have justly held. But now, when the people are enlightened, and fully capable of understanding their own interests, the Whigs will act wisely if they yield to the increased intelligence of the country a due share in the return of their representatives. As they formerly retained the boroughs to secure

liberty, let them now for the same noble object, consent to part with them. Let them show to the country that if reform is impeded, the Whig aristocracy stands free from the charge of hindering its progress from any personal and selfish interest of their own. In so doing, they will give energy and effect to their opposition in parliament; for I do not wish to conceal it, the possession of these boroughs has lessened the energy of their efforts in support of the liberties of the country. They have been able to state, with less firmness and frankness than they might otherwise have done, the causes of the misgovernment of the country; and the people, on the other hand, seem to feel that the Whig aristocracy retain something which properly belongs to themselves. Hence the union between the party of the people within and without the walls of parliament has been less cordial than it would be if the Whigs were content to yield something to the popular desire for reform: I beseech them to do so; but not them only; all the aristocracy of the land. Sir William Temple, a wise and amiable man, but whom no one will accuse of being too great an enthusiast for liberty, has said, that this great nation never can he ruined but by itself; and that, even in the greatest changes, if the weight and number rolled one way, yet England would be safe. I beseech you that the weight and number may roll one way; I beseech the possessors of great property to consider how nearly it concerns them to retain the affections of the great mass of the people. I

beseech you, that, throwing aside all feminine fears, all pedantic prejudices, and all private advantages, you will consider only your duty as men, the wants of the age in which we live, and that permanent and pervading interest which we all have in the maintenance of the English constitution. May you remember that the liberty which was acquired for you by your ancestors will be required of you by your descendants: then will you agree to a temperate and timely reform, reconcile the different classes of society, and prevent a convulsion which may involve all in one common ruin. Then may that proud constitution, which has now subsisted in maturity little more than one hundred years, continue to maintain the spirit of its freedom, and extend the sphere of its salutary influence, until its existence vies with that of the most durable institutions that were ever reared for the happiness of mankind in any age or in any country.—I now move, "That the present state of the representation of the People in Parliament requires the most serious consideration of this House."

SPEECH

OF

THE RIGHT HON. WILLIAM HUSKISSON,

ON THE MOTION OF

MR. ELLICE FOR A SELECT COMMITTEE ON THE SILK TRADE.

HOUSE OF COMMONS—FEB. 23, 1826.

SIR,—Although the honourable member for Coventry, who introduced the present motion, may be supposed to be under the influence of suggestions and views, which have been furnished to him by his constituents, and from other sources out of doors, I am, nevertheless, ready to admit, that that circumstance ought not to detract from the weight which is fairly due to the honourable member's statements and arguments, in support of the motion which he has submitted to the House.

But, Sir, however true this may be, as far as respects the honourable member for Coventry, the same observation applies not, in the remotest degree, to the honourable and learned gentleman (*Mr. Williams*) who has seconded the motion; and who, acting, I must suppose, under the influence of a connection, certainly not political, but the more binding, perhaps, as having been more recently

formed, has thought proper to take a wider range, and to indulge in a higher tone of declamation:—or, it may be that he looks forward to the expectation of becoming the colleague of the honourable mover; and by his speech of this evening, proposes to declare himself a joint suitor with the honourable mover for the future favours of the good people of Coventry. Whatever may be the motives of the honourable and learned gentleman, I confess that I have listened with the utmost astonishment to the speech which he has just delivered.

Sir, in the course of that speech, the honourable and learned gentleman repeatedly told us, that he was not authorised to make certain statements—that he was not at liberty to admit this, and to admit that. This, I presume, is a mode of expression in which gentlemen of the legal profession are wont to indulge, to mark that they keep within the strict limits of their briefs, and that the doctrines which they advocate are those prescribed to them by their instructions. However customary and proper such language may be in the courts of law, it certainly sounds new and striking in the mouth of a member of this House.

With regard to the general tone of the honourable and learned gentleman's speech—the vehemence of his declamation, his unqualified censure, and his attempts at sarcasm, I can, with perfect sincerity, assure the House, and the honourable and learned gentleman, that I entertain no sentiment bordering upon anger, nor any other feeling, save one, in

which I am sure I carry with me the sympathy and concurrence of all those who entertain sound and enlightened views upon questions of this nature—a feeling of surprise and regret, at finding that honourable and learned gentleman, now, for the first time, launching forth his denunciations and invectives against principles and measures which have received the support of men the most intelligent and best informed, on both sides of this House, and throughout Europe.

Having said thus much, I leave the honourable and learned gentleman to the full enjoyment to be derived from the new lights that have so suddenly broken in upon him. I leave to him, and to his honourable friends around him, to settle, among themselves, the taunts, the sneers, and the sarcasms which he has heaped upon their heads, as the friends of those principles which are involved in the present discussion—principles which it has been their boast that they were the first to recommend, and of which they have uniformly been the most eager advocates in this House.

In whatever quarter the statements and arguments of the honourable member for Coventry may have originated, they are entitled to the serious and attentive consideration of the House, more especially if derived from individuals now suffering distress from want of employment, and who may have been led to believe, that that want of employment has been caused by measures which have been adopted by this House. This circumstance adds to

the difficulty in which I am placed, in rising to address the House on the present occasion. In opposing the proposed inquiry, I feel that I may be represented as insensible or indifferent to the sufferings of those on whose behalf it is called for.

Sir, the honourable and learned member for Lincoln has, indeed, given countenance to this unjust imputation. He has not only chosen to assert that I am mistaken in my views—he has not scrupled to insinuate that I am without feeling for the distress now prevailing amongst the manufacturing classes. [*Mr. Williams here denied that he had asserted any thing of the kind.*] What then, Sir, did the honourable and learned gentleman mean by his quotation? To whom did he mean to apply the description of an "insensible and hard-hearted metaphysician, exceeding the devil in point of malignity?" I appeal to the judgment of the House, whether the language made use of by the honourable and learned gentleman, with reference to me, was not such as to point to the inference that I am that metaphysician—lost to every sentiment of humanity, and indifferent to every feeling beyond the successful enforcement of some favourite theory, at whatever cost of pain and suffering to particular bodies of my fellow-creatures? When the honourable and learned gentleman allows himself to talk of "hard-hearted metaphysicians, exceeding the devil in point of malignity," it is for him to reconcile such language with the general tenour of his sentiments on other occasions—to explain, as he

best may, to those around him, whether they are included in that insinuation, and it is for me to meet that insinuation (as far as it was levelled at me), with those feelings of utter scorn with which I now repel it.

Still, Sir, it sits heavily on my mind, that any individual, or any body of individuals, should in any quarter be impressed with the notion, that I, or any of my right honourable colleagues, could be capable of that which has been imputed to us; and it is but perfectly natural that I should feel anxious to show that my own conduct, and that of my right honourable friends, has not been such as, in some quarters, it has been represented to be.

The honourable member for Coventry, and the honourable and learned member for Lincoln, have, by some strange perversion, argued the whole case as if I, and those who act with me, were hastily and prematurely pressing on some new, and, till this evening, unheard-of measure; as if we were attempting to enforce that measure by all the influence of government; instead of which, we have proposed nothing, and are lying upon our oars, quietly waiting for the going into effect of an Act of Parliament, passed more than eighteen months ago, with the unanimous concurrence of this House; an Act which is now the law of the land, and of the enactments of which all the parties concerned were as fully apprised on the day when it first passed this House, as they can be at this moment.

In the view which I take of the speech of the

honourable member for Coventry, of which I do not complain, and of the speech of the honourable and learned member for Lincoln, of which I do complain, the greater part of their arguments go to impugn those principles of commercial policy, which, under the sanction of parliament, have now prevailed in this country for the last two or three years—a policy which has for its object gradually to unfetter the commerce of the country, by the removal of those oppressive prohibitions and inconvenient restrictions which had previously existed; and to give every facility and encouragement, consistent with vested interests, to the extension of the skill, the capital, and the industry of the people of England.

This, then, being the real drift of the argument, especially brought forward by the honourable and learned gentleman, it is, with reference to a much greater question, that I find myself called upon to consider the present motion. The point at issue is, not whether we shall grant the Committee, but whether we shall re-establish the prohibitory system? If we re-establish it in one instance, we shall very soon be called upon to do so in many others. If we once tread back our steps, we shall not be able, in this retrograde motion, to stop at that point from which we first set out. We must go further; and, ere long, we should have in this country a system of commerce, far more restrictive than that which was in force before the late changes. Anxious as I am to persevere in our present course, I say that, if we once depart from it, we must at least be consistent

in our new career; and that, to be consistent, we must impose restrictions and prohibitions far beyond those which have been lately removed.

The present question, therefore, is not simply the motion before the House; but neither more nor less than, whether a restrictive or an enlarged system of commercial policy be the best for this country?

In order to come to a sound decision upon so important a subject, it behoves the House to look back a little to the course of events, and to bear in mind some of the occurrences which have materially contributed to those relaxations in the restrictive system, of which it is now the fashion to complain.

With this view, I must ask the permission of the House to call its attention to a petition presented to the House in the month of May, 1820, (which, having read and characterised as a most valuable document, embracing all the great principles of commercial policy on which parliament had legislated, he proceeded): Why do I lay so much stress upon this petition? For the purpose of showing, first, that if the government have pursued this course, we have done so, not on the recommendations of visionaries and theorists, but of practical men of business: secondly, that the merchants of the city of London—the great mart of the commerce and wealth of the country—felt convinced, in 1820, that the distress of that period was greatly aggravated by the narrow and short-sighted system of restrictions and prohibitions which then prevailed; and that, in

their judgment, the alleviation, if not the cure of that distress, was to be sought for in the removal of those restrictions and prohibitions.

And, because we have followed up, cautiously and circumspectly, the recommendations of the mercantile community, are we to be told, by men who know nothing of commerce, that we are unfeeling projectors and metaphysicians, insensible to the wants and the miseries of our fellow-creatures? If this be a just charge against us, what are we to think of the parties who could sign, or of the member who could present, such a petition as this? This morning I took the trouble to look at the names of the merchants who signed it; and the first signature I read is that of one of the most distinguished of that class in the city of London; a gentleman who was many years ago Governor of the Bank of England, who is now one of the directors of that establishment, and who was, for a long time, a valuable member of this House; a gentleman who, in the best sense of the word, is a practical man, and one whose conduct in private life would protect him (if any man can be protected by his conduct) from the suspicion of being a "wild and unfeeling theorist"—a "hard-hearted metaphysician"—"alike indifferent to the wants and the miseries of his fellow-creatures"—I mean Mr. Samuel Thornton. And, besides his name, the list contains the names of others, who, like him, have been Governors of the Bank of England; of several who are now in the direction of that great establish-

ment; and of many who hold the highest rank in the commercial world.

Let it not, however, be supposed that I offer this petition to the House, in the way of an apology for myself and my right honourable colleagues—in the way of extenuation of any thing which we may have done, to excite the wrath of the honourable and learned member for Lincoln. Sir, I think now, as I have always thought, that our measures require no apology. I believe now, as I have always believed, that they are calculated to promote the best interests of the people. I say now, as I have always said, that those who, either by their speeches in parliament, or the exertions of their talents out of it, have contributed to bring the people of England to look with an eye of favour on the principles recommended in this petition, have done themselves the greatest honour, and the country an essential benefit.

If, however, I refrain from troubling the House with apologies, where I feel that they are not required, neither do I wish to claim for his Majesty's government any participation in the merit of these measures, beyond what really belongs to us. By a reference to many other petitions and proceedings of a like nature with those to which I have already adverted, I could show that, in all these matters, the first impulse was not given by the government. We claim for ourselves no such credit. The changes hitherto made have been the result of public opinion, sanctioned by the concurrence of practical men, and

confirmed by the proceedings and inquiries of the two Houses of Parliament. We did not create that opinion: we did not anticipate it: we did not even act upon it, until it was clearly and distinctly manifested. And, in what we have done, we have not exceeded the sober limits, prescribed by the authority of those who, by the habits and pursuits of their lives, were most competent to form a sound judgment. But when that judgment was pronounced and recorded, it was our duty to act upon it. From those who fill responsible situations, the country has a right to expect, not that they should be slow of conviction to important truths in matters of political economy; but that they should be cautious in deliberating, before they attempt to give them a practical application. The goad which is used to give increased impetus to the machine, is an instrument more properly placed in other hands: the care of government should rather be to regulate the drag, so as not to check the advance, but to maintain a safe and steady progress towards improvement.

Has this been the principle of our policy on the subject now under consideration? Before I sit down, I think I shall prove, Sir, that the system upon which his Majesty's government have acted, has uniformly been guided by that principle. Need I remind the House, how frequently, and with what asperity, we have been charged, from the opposite benches, with reluctance and tardiness in carrying into execution those principles of an enlarged and enlightened policy, in matters of commerce, upon

which all parties were said to be agreed. Year after year have we been urged, by the force of public opinion out of doors, and by the earnest remonstrances of honourable members within, to adopt the very measures against which a senseless clamour is now attempted to be excited.

Who were the first, and the most earnest, in suggesting these measures—aye, and in wishing to push them to extremes—but some of those very persons whom we now find arrayed against us, and against those principles which they formerly supported? By whom was the petition which I have just read to the House presented? By whom was the prayer of it advocated?

After great note of preparation—after a formal notice of what was about to come—this petition, Sir, was brought down on the 8th of May, 1820, by the honourable member for Taunton (*Mr. Baring*), whom I now see in his place. He it was, Sir, who introduced it to the attention of the House, in a long, but able and elaborate speech; too long to be read by me now, as I have read the petition; although by so doing, I should add a most luminous commentary in support of the doctrines of that petition, and should best show, by what force of argument and weight of authority, the honourable member then contended for those measures which the House is now called upon to condemn, and in which condemnation he himself appears disposed to concur.

After mentioning the petition, and the great

respectability of the gentlemen by whom it was signed, and after regretting that "there was in the then circumstances of public embarrassment much to which no remedy could be applied, at least no parliamentary remedy," the honourable gentleman went on to say, that "the first desideratum was such security and tranquillity in the country as would enable the possessor of capital to employ it without apprehension."

The House will recollect, that the period at which this petition was laid upon our table was one of great public distress; and, in that respect, it but too much resembled the present time. Now, however, though the country is again visited with pecuniary pressure, and though many of the labouring classes are suffering great privations from the want of employment, I feel confident that we shall not witness the same danger to property, or the same disposition to violence, which at that time prevailed in the manufacturing districts. I feel confident that the unfortunate individuals who, in 1820, allowed themselves to be misled by unprincipled agitators, will recollect how much their sufferings were increased by listening to pernicious counsels—counsels which may prolong and aggravate, but which can, in no case, abridge or relieve their privations—and that they will not, a second time, lend a willing ear to those who would lead them on to their destruction. I trust they will so conduct themselves under their present difficulties as to conciliate the regard and sympathy of every other

class, and to excite in the bosoms of those, from whom alone they can expect assistance, no other feelings than those of kindness and benevolence.

Sir, after "security and tranquillity," the honourable member for Taunton proceeded to say, that "the second desideratum was, as great a freedom of trade as was compatible with other and important considerations." In the opinion of the honourable member, at that time, a free trade was the very essence of commercial prosperity; and, therefore, he pressed us to adopt, all at once, the system which we have since gradually introduced.

The honourable member then proceeded—as he has since done, upon several occasions, and done, indeed, this session—to tax my right honourable friend the Chancellor of the Exchequer (*Mr. Robinson*) (who then filled the situation which I now hold), and the other members of his Majesty's government, with apathy, and a total indifference to the distressed state of the manufacturing districts. "So far were they," said the honourable member, "from being sensible of the necessity of some exertion, that they went on, from year to year, trusting that the next year would be spontaneously productive of some favourable change, and, apparently with very indistinct notions of what the real condition of the country was. Whenever a question arose between two classes of the community, government, without seeming to have any opinion of their own, stood by, until they ascertained which party could give them the most effectual support. If the House looked

back to an earlier period of those which were still our own times, they would behold a different picture; they would find Mr. Pitt engaged in framing a commercial treaty; and, amidst difficulties of every description, boldly taking whatever steps appeared to him to be the best calculated to advance our commercial prosperity. He wished that he could see a little of the same spirit in the present day; but, instead of that, his Majesty's ministers were balancing one party against another, and trying how they could keep their places from year to year; neglecting, in the mean while all those great commercial and national questions to which their most lively attention ought to be directed."

The honourable member for Taunton then went on to say—and I perfectly agree with him—that "the first doctrine which the petitioners wished to combat, was that fallacious one which had, of late years, arisen, that this country ought to subsist on its own produce; that it was wise, on the part of every country, to raise within itself the produce requisite for its consumption."—"It was really absurd to contend," continued the honourable member, "that if a country, by selling any article of manufacture, could purchase the produce which it might require, at one half the expense at which that produce could be raised, it should nevertheless be precluded from doing so."

This is unquestionably sound doctrine, and I readily admit it. But how is it to be reconciled with the doctrine which is now maintained by great

authorities out of doors, as that which ought to be the rule of our commercial policy? According to these authorities, to which we have now to add that of the honourable and learned seconder of the present motion, prohibition is the only effectual protection to trade:—duties must be unavailing for this purpose, because the influence of soil and climate, the price of labour, the rate of taxation, and other circumstances, are constantly varying in different countries, and consequently, the scale of protection would require to be varied from month to month. But what is the legitimate inference to be drawn from this exclusive system? Can it be other than this—that all interchange of their respective commodities, between different countries of the world, is a source of evil to the one or the other? —that each country must shut itself up within itself, making the most of its own resources, refusing all commerce with any other country, barbarously content to suffer wants which this commerce might easily supply, and to waste its own superfluous productions at home, because, to exchange them for the superfluities of that other country, instead of being an exclusive advantage to either party, would afford an equivalent benefit to both. This is the short theory of prohibitions, which these sage declaimers against all theory are so anxious to recommend to the practical merchants of this country.

But if this system be wise and just in itself—if, for the reasons alleged in its support, it be necessary for the protection of British industry, let us see to

what it leads. Can this country command labour on the same terms as Ireland? Is the scale of taxation the same? Are the poor rates the same in the two countries? Is there any country in Europe which, more than Ireland, differs from Great Britain in these and many other particulars, affecting their commercial relations? Does it not follow, that, if we admit the system of prohibitions now recommended to us by the honourable and learned member for Lincoln, we must prohibit all commercial intercourse with Ireland—we must revive those laws which forbade the manufactures, and repelled the productions of her soil—we must sacrifice the mutual benefits which both parts of the empire now derive from the unrestricted freedom of intercourse —we must again revert to the prejudices of our ancestors?

And for what ?—because, from prejudices certainly less pardonable, if not from motives less sincere, than those of our ancestors, a senseless clamour has recently been raised against the present system of our commercial policy. I have no desire to disturb the partizans of the opposite system in the enjoyment of their favourite theory. All I ask of them is, a similar forbearance towards us. Let each system be fully and fairly tried. For the sake of freedom of trade and industry, and for the sake of England, let England be the field of trial for our system. For the sake of prohibition and monoply, let the system of our adversaries also be fairly tried, only let the trial be made upon some other country.

But, can prohibition ever be tried under circumstances of greater favour than it now experiences in Spain? In that flourishing country, prohibition has been carried to the very extreme. There restriction has been added to restriction—there, all the fruits of that beautiful system are to be seen, not yet, perhaps, in full maturity, but sufficiently mature to enable every one to judge of their qualities. Spain is the best sample of the prohibitory system, the most perfect model of fallen greatness and of internal misery, of which modern civilisation affords an example—an example to be traced, not only in the annihilation of her commerce and maritime power, but in her scanty revenue, in her bankrupt resources, in the wretchedness of her population, and in her utter insignificance among the great powers of the world. The commercial policy of Spain is simply this—to admit nothing from other countries, except what the smuggler brings in; and the commercial wisdom of the honourable and learned seconder of the present motion is equal to that of Spain.

I must now beg of the House to indulge me for a little, while I endeavour to go through the detail of the specific measures recommended in the speech of the honourable member for Taunton, on presenting the London petition. It will be perceived, how false and unfounded are all those clamours which have been heaped upon me and my right honourable colleagues, for having unnecessarily made those alterations in our system of commercial policy,

which, if I am to believe certain gentlemen, have plunged this country into misery and ruin.

The honourable member for Taunton, who is so great a practical authority—the greatest, perhaps, this country affords—did not content himself in this speech with stating general principles. He referred to details; and, as I have just observed, he proposed measures of relief of a specific and particular nature. These propositions the House, I hope, will permit me to go over, one by one, in order to show that his Majesty's government have not been wanting in attention to the suggestions of the merchants of the City of London, nor backward in adopting their remedies, and recommending them to the consideration of the House.

[The right honourable gentleman proceeded to take a review of the measure which had been introduced agreeably to the warm recommendations of the honourable member for Taunton—and in conformity with the principles expressed in the petitions of the merchants of London and other commercial communities. These measures consisted of an alteration in the duty on the importation of wool; a general revision of the Revenue Laws, with a view to their simplification;—the doing away with prohibitions altogether, and the substitution in all cases, protecting for prohibitory duties. In the commentary with which the right honourable gentleman accompanied the discussion of this topic, he referred particularly to the question of the silk trade then before the House, with a view of showing

that the present stagnation in the silk trade was more produced by late alterations in the trade than by any effect in the law which was to come into operation next July. He next proceeded to exhibit the policy of the measures recommended by the same high authorities as the preceding ones, for the removal of the transit duties on German linens, and for the revision of the whole system of drawbacks and bounties; the alteration in our commercial regulations with respect to France: and lastly, the extension of our trade with British India. After having demonstrated in a most masterly exposition of the commercial resources of this and other countries, the policy of those measures, and their opportune application to the interests of Great Britain in its present relations with the nations of Europe and of the rest of the world, the right honourable gentleman proceeded:]

These are the principal improvements which were urged on the government of the country, in the year 1820, by the honourable member for Taunton; speaking—be it always remembered—in the name and on the behalf of the merchants of London. To all of these suggestions, I say, his Majesty's ministers have attended. My right honourable friend, the Chancellor of the Exchequer, who then filled the situation which I now hold, replied to the speech of the honourable member on that occasion. He repelled the accusation of the honourable member, that the government were insensible to the sufferings of the people. He avowed his desire to pro-

ceed in the course that was recommended; but he, at the same time, represented the difficulties by which his endeavours had, till then, been opposed. Did the honourable member acknowledge himself satisfied with the assurance and explanation of my right honourable friend? By no means, Sir.

So eager was the honourable member for Taunton for the immediate enforcement of these important changes, that he concluded his reply to my right honourable friend, in the following terms: "As to the petition itself, the principles which it contained had met with so unanimous a support, that he wondered whence that opposition could come, by which the right honourable the President of the Board of Trade seemed to be deterred from attempting any reform of our commercial system; and he could not help expressing a hope, that, for the future, that right honourable gentleman would not listen entirely to the suggestions of others, but, in treating the subject, would rely on his own excellent understanding."

With this admonition, the debate closed. The recommendations of the honourable member—the great authorities from which they originated—convinced the government, that the time was come, when they might go forward with measures, to which they had long before avowed a friendly disposition. The consequence was, a determination, on their part, to institute an inquiry before a committee of this House, in order to ascertain, how far, and by what course of proceeding, the steps recom-

mended, and any others founded upon the same principles, could be acted upon, for the general improvement of the commerce of the country.

In the other House of parliament a committee was sitting, whose labours were directed to the same object. This committee had been appointed upon the motion of a noble marquis, the Marquis of Lansdowne, who had, at all times, taken the liveliest interest in whatever relates to the trade and commerce of the country, and whose principles, in these matters, unlike the grasshopper on the Royal Exchange, do not veer about, with every change of the wind, or with every fluctuation in the speculations of those who transact business in that Exchange.

One of the subjects which particularly engaged the attention of the noble marquis, and of the committee over which he presided, was, the state of the silk trade. They heard evidence: they called for papers: and they examined witnesses from every quarter. What was the result of their investigation? Why, Sir, they state in their report, that "it appears to the committee that there is no bounds to smuggling under the prohibitive system; and that, in the opinion of the committee, protecting duties might, advantageously be substituted for prohibitive ones."

Such was the view taken by the committee of the House of Lords in 1821. I will not detain the House, by going at length into the course of inquiry by which they arrived at this conclusion.

But, some attempt has been made this night to undervalue the evidence of two merchants from the United States, who were examined before the committee; and examined, be it recollected, upon oath. These two merchants came to Europe, for the purpose of purchasing silks. They first visited France, and then they came to England. They could be actuated by no other interest than that of procuring silks on the cheapest terms.

And what was their evidence? On being asked, as to the relative cost of the silks of France and the silks of England, one of them said, that "he had bought goods in France and in England, and that the difference, when the quality was equal, was from twenty to twenty-five per cent." And the other said, that "the difference did not exceed twenty per cent." But, both of them stated, that in the article of silk hosiery, price and quality considered, they greatly preferred the English manufacture to that of France.

The report containing this evidence, recommended an alteration of the laws relative to the silk trade, by the removal of the duty on the raw material, and of the prohibition on wrought silks. Honourable members, however, are aware that the House of Lords could not, from the nature of the proposed change, initiate a measure to carry into effect the object of this report.

Nothing further took place till the year 1823, when the honourable member for the city of London (*Mr. T. Wilson*) came down to this House with a

petition from the master manufacturers of Spitalfields, praying for a repeal of what is generally called "the Spitalfields' Act." This, as the House well knows, was a law for regulating the mode of working in that district, and for enabling the magistrates to fix the rate of wages to be given for each description of work. In short, a most unfit law to remain upon the Statute-book, but the professed object of which was, to protect the men against the exactions of their masters. The only possible excuse for having ever passed such a law is, that, when it was passed, the masters had a monopoly of the silk manufacture in this country.

I will tell the House why I state this. A deputation of the weavers of Spitalfields waited upon me and my right honourable friend the other day. They are a sincere, well-meaning, and, certainly, a well-behaved body of men. After hearing their representations, I was satisfied, that if I had put it to them, to make their choice between the revival of the Spitalfields Act, or of the prohibitory system —if I had said to them, "You cannot have both a prohibition and the Spitalfields Act, but you may have either the one or the other—take your choice!" —they would have instantly said, "Give us the Spitalfields Act, and let the prohibition go to the winds." So much for practical feeling, which is now urged in opposition to what is called theory!

And here I must beg leave shortly to refer to the doctrine laid down in the petition presented in 1823, by the honourable member for the city of

London, to which I have just alluded. The petitioners state, " that with our unlimited supply of silk from our territories in India, we might be independent of the rest of the world; that with our great command of capital, and the unrivalled skill of our artizans, the manufacturers did not fear the competition of any foreigners; and that, with a free trade, silk would become, like cotton, one of the staple manufactures of the country."

I do not mean to accuse these petitioners of making this statement, in order to entrap the public, and to induce the parliament to take measures which they knew would involve their own manufacture in distress; but, I have a right to refer to their petition, as well as to the more general petition of the merchants of London, to show that the measures which his Majesty's ministers have taken are neither the offspring of theory, nor measures which they carried in opposition to the prevailing opinion of the country, or of the trade. They brought forward these measures, because they were convinced that they were founded in sound policy; but not till they were satisfied, that they would meet with the concurrence and support of those who had a more immediate interest in their result. So far was government from any precipitation in carrying them into effect, that it was not till the year 1824, that they determined to propose the repeal of the duty on the raw material, and to permit the importation of foreign manufactured silk, subject to a protecting duty. They were aware that, without taking the

duty off the raw material, they could not attempt this improvement; but, as soon as my right honourable friend, the Chancellor of the Exchequer, was enabled, by the flourishing state of the finances, to reduce taxation, he did not hesitate to remit this duty, as the necessary preliminary to the removal of the prohibition.

From that moment we lost the support of the honourable member for Taunton, to whom I have so often alluded; and his voice was only heard in opposition to measures which he had so long been recommending for our adoption.

My right honourable friend, the Chancellor of the Exchequer, having on the 23d of February, 1824, stated generally to the House, what it was our intention to do; it fell to my lot, on the 8th of March to open the measure more in detail. Then it was that I heard, for the first time, of the serious opposition which the proposed measure would receive from the honourable member for Taunton. Then it was, that, seconded by the honourable member for Coventry, who opened the debate of this evening, he declared, that, by the end of the two years which I proposed to allow before the prohibition should finally cease, the silk trade would be destroyed.

This delay I now consider to have been the greatest error that was then committed, and the origin of our present difficulty, as far as this trade is concerned. "Those," said the honourable member for Taunton, "who propose this new plan, are

completely ruining the silk manufacture of England. The moment this plan is promulgated, the great object of all who have capitals embarked in the manufacture will be, to disentangle those capitals; and those who have no capital, except their labour, will be left to struggle for themselves, and probably to perish, for want of employment."

Such, in 1824, were the gloomy forebodings of the honourable member for Taunton. Experience has made me rather obdurate to all such prophecies; for so many are daily made by individuals whose fears are excited, or who, when they suppose their particular interests to be at stake, attempt to excite fear in others, that I must have abandoned every measure which I have brought forward for improving our commercial policy, had I allowed myself to be acted upon by such forebodings.

Last year, for instance, I received representations from the iron trade—day after day, and month after month; but, I could not share in their alarms. I must state this, however, with one exception. There exists in this country one considerable establishment, in which iron is smelted by charcoal in great perfection, but at a heavy expense. This iron is held in equal estimation with the best from Sweden; but there was reason to apprehend that it could not, under the reduced duty, maintain itself in competition with the latter. The establishment in question belongs to a most respectable and scientific gentleman, well known to many members of this House—Dr. Ainslie. Having heard his statement,

I told him that, although I could not alter a general measure to meet one particular case, I would endeavour to devise some other mode of relief, if he should be overwhelmed by the competition.

And, what does the House think has been the result? Sir, within the last fortnight, that respectable individual has sent me word, through an honourable member of this House, not only that his fears have not been realised, but that my most sanguine hopes had been confirmed—that his trade, in fact, had in no degree suffered by those very measures, which he apprehended would have been fatal to it; and that it was, upon the whole, in a very flourishing state.

Let us now see how far the predictions of the honourable member for Taunton, and the honourable member for Coventry, have been realised. These predictions were, that the silk trade would be annihilated in the course of the two years allowed to the manufacturers to prepare for the change.

The bill passed this House in the Spring of 1824, and, during, the rest of that year, the silk trade went on flourishing and increasing, in the face of this threatened annihilation. In the Spring of 1825, there prevailed a degree of excitement—a spirit of speculation—an extension of demand in this manufacture—to a greater degree than had ever been witnessed before, in almost any branch of trade. It was in 1825, that so many new factories were erected—so many new mills set at work—so many new looms occupied. The old mills were not

sufficient: many new ones were raised; the erection of each of which, I am assured, did not cost less than from £10,000 to £15,000: and several of these new mills have not even yet been roofed in.

Thus, at the very time when, to satisfy the prediction of the honourable member for Taunton, this trade should have been in a state of rapid decline, the manufacturers were building to an extent that had never been equalled in the periods of their greatest prosperity.

Sir, I feel that, upon this occasion, a heavy burthen is imposed upon me. I feel that I have not only to defend myself from the attack of the honourable member for Lincoln, but to say something in behalf of my right honourable colleagues;—something in vindication of the House itself, for the course which they have pursued, in the adoption of the system of commercial policy which we recommended.

As the whole of that system has been so vigorously attacked, I shall, I trust, be excused if I touch very briefly upon the proceedings of the last session of parliament, when, in furtherance of that system, and with the cordial concurrence of this House, I brought forward measures of a more general nature than the silk bill of the preceding session, inasmuch as they were to effect an important and more extensive change in the colonial, as well as in the commercial policy of the country. The colonial part of the subject had not, I admit, been much pressed upon his Majesty's government,

either by representations in this House, or in discussion out of doors. But there are occasions on which it is the duty of a vigilant government, instead of waiting for such pressure, to watch the signs of the times, and to accommodate their policy to those changes in the world, under the continued operation of which, a blind adherence to our former system would no longer be either safe or expedient. Upon this principle, I shall be ready to vindicate the alterations, great as they are, in the policy of our colonial commerce, whenever those alterations may be called in question; but as, hitherto, they have not been attacked in this House, and as they received the special approbation of the honourable member for Taunton, I shall now say no more upon that part of the subject.

With respect to the alterations in our general commercial system, however extensive in their application, what were the objects which they embraced? They went to the removal of useless and inconvenient restrictions, to the doing away of prohibitions, and to the lowering of duties so excessive, as to be in fact prohibitory on the productions of other countries — restrictions, prohibitions, and duties, which, without benefit, nay, highly mischievous to ourselves, have produced all the evil effects, and given rise, in other parts of the world, to the retaliatory efforts of foreign governments, to put down the commerce of this country. These were some of the bad consequences justly attributed to our exclusive system by the honourable member

for Taunton and the merchants of London, in the speech and petition to which I have so often referred.

And here I cannot but express my astonishment, that gentlemen (I am now speaking of persons out of doors)—who must be better informed—whose sincerity I cannot doubt, but whose judgment in this respect seems to be most unaccountably perverted—impute all the prevailing distress as well as the derangement in the foreign exchanges, which preceded and, in a great degree, produced that distress, to this lowering of excessive duties and removal of unnecessary prohibitions.

I have called for the production of a paper which has not yet been printed, but which will, I hope, in the course of twenty-four hours, be in the hands of every honourable member—for the purpose of showing what have been, during the last year, the actual imports of most of the principal articles, the duty on which has been materially reduced. From this document it will be manifest, that, although there has been some increase of import in most of those articles, in none has it been carried to any great extent. In manufactured goods,—cottons, woollens, linens, &c. the increased import of the whole does not exceed a few thousand pounds. And yet in opposition to this decisive evidence, there are those, I understand, who have had dealings for millions in foreign loans, who, to facilitate the payments of those loans and other financial operations of foreign governments, have sent million after million of our

gold coin, drawn from the Bank of England, to the Bank of Paris; and who, in the face of such gigantic operations—the benefit of which to this country (whatever it may be to themselves) it is difficult to conceive—have been pleased to attribute the unfavourable state of the foreign exchanges, during the last summer and autumn, to the commercial measures adopted by parliament in the preceding session.

I am happy to say, that where the duties have been lowered upon articles of consumption, the result has hitherto fully borne me out in all my anticipations. In the six months which immediately followed the reduction of the duty on coffee, the consumption of that article has nearly doubled, without occasioning any decrease in the consumption of tea. In wine, the duty upon which, we were told, ought not to have been reduced, without some reciprocity to the productions of this country, the consumption has also increased in an equal degree. And thus it will appear, that the same amount of revenue has been attained by the government from diminished burthens, thereby leaving greater means of comfort and enjoyment to the people.

I come now to the real gist of the silk question; and which—I say it with all due deference to the honourable mover and seconder of the present motion—has not been, in the slightest degree, touched upon by either of them.

It is admitted on all hands, that silk is an article which can be easily smuggled; and that it is now smuggled, to a very considerable extent, in spite of

all the preventive measures that have, from time to time, been adopted. Now, the object of the British manufacturer is, as much as possible, to shut out the competition of his foreign rival. If smuggling could be prevented, I would concede to him that prohibition would be most effectual to this object. But if it cannot, what is the advantage of prohibition over a protecting duty of thirty per cent.? I say of thirty per cent., because I never yet conversed with a single merchant or manufacturer, who did not admit, that if a higher protecting duty were imposed, the supply of foreign silk goods would be thrown into the hands of the smuggler.

The question, then, looking at it practically, is this—In what degree is prohibition better, as against smuggling, than a well-regulated duty?—by which I mean a duty sufficient to protect the British manufacturer, without being so high as to afford a premium to the smuggler.

In the first place, it cannot be denied that the feelings of mankind are more likely to restrain them from committing a fraud, than from violating a custom-house prohibition. I am sure it will be conceded to me, that many honourable persons, who would not, for any temptation, be parties to a contrivance to evade a tax, and thereby to rob the public revenue, would feel very little scruple, in wearing an article that is absolutely prohibited, and the introduction of which is not in opposition to any moral duty.

So far, then, the argument, in support of the

assertion, that a prohibitory law is the best check upon smuggling, makes directly the other way, and is in favour of protecting duties.

But the great, indeed the only argument in favour of prohibition in preference to a protecting duty is this—that after the forbidden goods have been landed in this country, and when they are in the possession of individuals, even for their own use or consumption, you may follow them into private dwellings, nay, into the very pockets of the wearers, and seize them upon their persons, in the King's name, at the bare suggestion of any common informer.

To what does this power of seizing and examining all who may be suspected of possessing prohibited articles, amount? Sir, it amounts to this—that if any man, no matter what may be his rank, be he the humblest peasant or the highest peer in the realm—be suspected of wearing or possessing a silk handkerchief of foreign manufacture, he is liable to have it taken from his neck or his pocket, and to have his house ransacked, from the garret to the cellar, in quest of contraband articles. If, without such a subsidiary regulation as this—a regulation which encourages the worst passions, engenders the most appalling perjury and crime, and which opens so wide a door either to fraud and collusion, or to intimidation and personal violence—prohibition cannot be sustained; then, Sir, I say, in preference to such a system, let us in God's name have a well-regulated duty.

And here I hope I may be permitted to digress for one moment, to ask, how a great constitutional lawyer — a staunch advocate for the popular character of our constitution—a zealous stickler for the inalienable rights of the people—a watchful guardian of the sanctity of an Englishman's private abode;—how he could so entirely discipline and subdue his warm and boasted feelings for the liberty of the subject, as to pour forth the declamatory harangue which we have heard this night from the learned member for Lincoln in favour of this system of prohibition?

But, even with the aid of this power of search and seizure, is prohibition an effectual remedy against smuggling? I have lately taken some pains to ascertain the quantity of smuggled silks that has been seized, inland, throughout the kingdom, during the last ten years, and I find that the whole does not exceed £5,000 a-year. I have endeavoured, on the other hand, to get an account of the quantity of silk goods actually smuggled into this country. Any estimate of this quantity must be very vague; but I have been given to understand, that the value of such goods as are regularly entered at the custom-houses of France, for exportation to this country, is from £100,000 to £150,000 a-year; and this, of course, is exclusive of the far greater supply which is poured in, through all the channels of smuggling, without being subject to any entry. In fact, to such an extent is this illicit trade carried on, that there is scarcely a haberdasher's shop, in the

smallest village of the kingdom, in which prohibited silks are not sold, and that in the face of day, and to a very considerable extent.

The honourable member for Coventry has mentioned the silk goods from India, as those against which any thing but prohibition would prove an unavailing protection. Now, in my opinion, it is scarcely possible to conceive a stronger case than those very silks furnish against the honourable member's own argument. I believe it is universally known, that a large quantity of Bandana handkerchiefs are sold, every year, for exportation, by the East India Company. But, does any gentleman suppose, that these Bandanas are sent to the continent for the purpose of remaining there? No such thing! They are sold at the Company's sales to the amount of 800,000 or 1,000,000 of handkerchiefs each year, at the rate of about four shillings each. They are immediately shipped off for Hamburgh, Antwerp, Rotterdam, Ostend, or Guernsey, and from thence they nearly all illicitly find their way back to this country.

Mark, then, the effect of this beautiful system—the system so lauded by the honourable member for Lincoln. These Bandanas, which had previously been sold, for exportation, at four shillings, are finally distributed, in retail, to the people of England, at the rate of about eight shillings each; and the result of their prohibition is to levy upon the consumer a tax, and to give to those who live by the evasion of your law, a bounty of

four shillings upon each handkerchief sold in this country.

That nearly all the Bandanas sold for exportation are re-imported and used in this country, is a fact not denied even by those who are now most clamorous for prohibition. In a printed letter from a manufacturer of Macclesfield to the Marquis of Lansdowne, I find the following anecdote: "It is the custom, in the parterres of the theatres in France, to secure the place, by tying a pocket handkerchief on the seat. I had the curiosity, at the Theatre François, to notice the appearance of them, and out of twenty-five immediately around me, there was not one silk handkerchief." I should have little doubt, if a similar custom prevailed in the pit of our theatre, that this accurate observer would find most of the seats decorated with handkerchiefs of prohibited silk. Nay, Sir, if strangers were at this moment ordered to withdraw from the gallery, and every member were called upon (of course in secret committee) to produce his handkerchief, with the understanding that those who had not prohibited handkerchiefs in their pockets were obliged to inform against those who had, I am inclined to believe that the informers would be in a small majority. Upon every information laid under this prohibitory law, the chances are that the informer and the constable have Bandanas round their necks, and that the magistrate who hears the charge has one in his pocket.

At the close of the motion of this evening, then, we have

to make our choice between a moderate protecting duty which can be collected, and is likely to be available, and the going back to the system of prohibition, which I have shown to be productive of such mischievous consequences.

But, since the repeal of the old law, a further difficulty has occurred in respect to prohibition. Two years ago, when a piece of silk was seized as foreign, the British manufacturer could, upon inspecting it, at once say, "I know, and can prove, that this is not of the manufacture of this kingdom." If asked, "What is your proof?" he would reply, "The superior quality and workmanship of the article; it is quite impossible that any thing equal to it should have been manufactured in England. It wants that stamp of slovenliness and indifference to improvement, which is the sure characteristic of all silk goods made at home." This is a very natural answer for monopoly to make, but it comes with a bad grace from a British manufacturer.

But, it may be asked, if excellence of fabric was, at that time, the proof that the article was not British, why is it not so still? I shall give the best answer to this question, by stating what has recently occurred.

Soon after the alteration of our law, an extensive French manufacturer removed from Lyons to this country. He brought with him his looms and his patterns. Under his management and superintendence two establishments were formed, one in Spitalfields, the other at Manchester. At both of these

places he set weavers to work, fully satisfied that a duty of 30 per cent. would afford him sufficient protection. His improved methods (with sorrow I state it) excited the jealousy, and drew down upon him the persecution, of the English manufacturers. They charged this industrious foreigner, boldly and rashly, and, as in the end it was proved, most unjustly, with carrying on his trade here, merely as a cloak to cover the smuggling of foreign manufactured goods. In their mortification at his success they even went the length of charging the Secretary of the Treasury, and the whole Board of Customs, with being cognisant of the fact, and parties to this nefarious scheme for ruining the silk trade of England. This accusation was not merely insinuated in whispers: it was contained in a published report, inserted in the newspapers, and thus conveyed from one end of the kingdom to the other.

This was not to be endured. The Treasury determined to sift the matter to the bottom. They knew that, neither at the Board of Treasury, nor at the Board of Customs, could any countenance or facility have been given to smuggling; but they thought it not impossible that this French house might have been guilty of the irregularities imputed to them, and that these irregularities might have been connived at by some of the inferior officers. The accusers, therefore, were called upon to substantiate their charge, and were distinctly told that the inquiry should be directed in whatever mode they might point out as most effectual. They said,

the clearest proof would probably be found in the books of the party accused, if they could be got at. The books could not, certainly, be inspected without his consent. Did he hesitate on this point? So far from it, that his immediate reply was, "You are welcome to inspect all the books of our house; and, that there may be no suspicion of garbling or concealment, let an officer go with me instanter, and they shall all be brought here (to the Treasury) in a hackney coach."

This was accordingly done. His books were subjected to a rigid examination. Every transaction connected with his business was found regular—the names of the weavers employed by him, the work which they had in hand, and their places of residence, were all duly entered. Taking with them a plan of Spitalfields, and without the possibility of previous notice or concert, proper persons went round to the particular houses which these books had pointed out, and, in every instance, they found the names of the men at work, and the goods upon which they were working, to correspond with the entries in the books.

All this was most satisfactory to the Treasury and the Customs. But the accusers persevered in their charge. They insisted, that the whole was a concerted plot, and that many pieces of silk in the warehouse of this foreigner, which he had asserted that he had manufactured here, were, in truth, the productions of France.

The Treasury, in consequence, resolved to sift the

matter still further, and again it was left to the accusers to point out the mode. In order to prosecute the inquiry, they selected from their own body the person whom they considered the most skilled in the knowledge requisite for the detection of such articles as might be contraband. And what, towards him, was the conduct of the party accused? "Go to my warehouse," said the Frenchman, "turn over all my goods; select from among them whatever pieces you please; and, on the proof of their being of English or of French manufacture let my guilt or innocence be finally established."

The offer was accepted. The person employed by the British manufacturers turned over and over several hundred pieces of silk; and at length, after the whole ordeal was passed, the Board of Customs made known the result in an official report, which they transmitted to the Treasury. That report I hold in my hand. What is the substance of it? Why, that thirty-seven pieces had been selected by this agent of the accusers as being, beyond all doubt, of French manufacture. What followed? These thirty-seven pieces were seized, and the Frenchman was put upon his proof that they were made in this country. How did he prove it? By producing one after another, the very men by whom every one of these thirty-seven pieces had been made, who proved, upon their oaths, in the most irrefragable manner, that every inch of these goods had been woven by themselves. Where? Not at Lyons—not in France—but in Spitalfields and Manchester.

I have stated these facts with feelings, I own, bordering on disgust. I cannot but think it humiliating, if not discreditable to my countrymen, that an unprotected foreigner should have been maligned and persecuted, instead of receiving countenance and encouragement for having transported his capital and skill to this country, and for being the first to set the example of great and successful improvement in our silk manufacture.

But how does this detail, into which I have entered, bear upon the present argument? It shows, in the clearest manner, that, if you continue to seize silk goods, in private houses, in shops, or upon individuals, you have now lost your former test, by which you could prove them to be of foreign origin. The most expert judge of such articles, it is now legally proved, cannot discriminate between the British and the foreign manufacture. Prohibition, therefore, has lost its only recommendation; it retains no advantage over a well-regulated duty.

But appeals have been made to our compassion; and our feelings have been alarmed by the statement, that above 500,000 individuals are at present engaged in the silk trade, and that ruin must inevitably be entailed on this large and meritorious class of the community, if the old law be not restored.

Now, supposing the number of persons employed in the silk manufactory to amount to 500,000—their wages, I assume, cannot be less, one with another, than ten shillings per week for each person. I have been told, indeed, that a considerable

portion of this number are children, some of whom do not receive more than one shilling and sixpence per week; and, for this pittance, the hours of work in the mills, when the trade was brisk, I have been assured, were from five in the morning till eight or nine at night.

If this be so, let us not talk of the difference in the expense of labour between this country and France. Will it be said, that a French child cannot earn in the silk manufactory one shilling and sixpence per week; and that, without working from fourteen to fifteen hours out of the four-and-twenty? Certainly not. Supposing, however, the average earnings of these 500,000 persons (an exaggerated number I am convinced) to be ten shillings per week, thirteen millions of money would then be the annual amount of wages alone in this manufacture. To this are to be added the interest on capital, and the price of the raw material, so that the value of the goods sold could not be less than eighteen or twenty millions sterling. This, however, I consider too high a calculation. The Lords' report estimates the whole amount at only ten millions: but, allowing for increased consumption since 1821, it may, perhaps, be fairly rated at twelve or fourteen millions, exclusive of the quantity smuggled in from the continent.

If, then, fourteen millions of silk goods are about the annual consumption of this kingdom, what would happen if, according to the predictions of the honourable member for Taunton, the British manu-

facture should be annihilated after next July? We should not, I take it for granted, consume a less quantity of silk goods: the only change would be, that we should have them, as it is alleged, of a better quality, and at a less price. But, all the goods so consumed, would, in this supposition, have paid a duty of 30 per cent. on their importation; and the produce of that duty, consequently, would exceed four millions sterling. This large sum would be levied without, in the smallest degree, abridging the comfort or enjoyment of any other class of the community. It would bring with it no increase of burthen upon the consumer of silk goods, and consequently no diminution of his means of consuming other articles. It would simply be the premium of monopoly transferred to the Exchequer; and the capital, for which this monopoly was created, would be set free, to give employment to other branches of industry.

Such, certainly, would be the ultimate result, if the speculative fears of the silk trade should be realised. But, of such an issue, I am persuaded there is no risk. The whole consumption of silk goods in France is not equal to the consumption in England. Now, supposing, when the bill comes into operation, there should be a greatly increased demand in this country for French silks—this new and additional demand would produce a corresponding advance in the price of the goods, and in the wages of labour, in France. To a certain extent there may be such a demand, especially at the first opening of the

trade; but, I am convinced that, with the attention to economy which competition excites, with our improved machinery, our industry and ingenuity, and, perhaps, with the lowered prices of labour and the means of subsistence—a protecting duty of 30 per cent. will be found to be sufficient.

The House is called upon, by the motion of the honourable member for Coventry, "to inquire." Has it never inquired before? Has the House of Lords entered into no investigation of the subject? And, did not that investigation take place at a period when taxation and prices were very considerably higher than at present? The country, too, at that time, was labouring under much distress; and the silk manufacture was suffering its full share of the existing difficulties. Was that inquiry loosely conducted? Certainly not. A noble Marquis (*Lansdowne*) presided over the labours of the committee, alike distinguished for talent, for diligence, and for the soundness of his views on all subjects connected with the commercial policy of the country. It was the opinion of that committee, after taking a mass of evidence on oath, that a duty of 15 per cent. would be an adequate protection, instead of a duty of double that amount, under which the experiment is now to be made.

I have stated, too much at length, I fear, the grounds on which it appears to me, that this House ought not to entertain the present motion. This statement, I feel, must have appeared unnecessary to those who think with me on the subject of our

commercial policy; and I dare not hope that it has made much impression on those who are the declared advocates of the restrictive system—those who belong to the same school of political economy as the honourable baronet (*Sir J. Wrottesley*) the member for Staffordshire. In his enmity to all improvement, he told us the other evening, that the ministers of the present day were only fit to form a council for the island of Laputa. Since this intimation of the honourable baronet's wish to see us banished to that island, I have turned in my own mind what recommendation I could take with me to that land of philosophers. Not a letter from the honourable baronet, I can assure him; for he has given us to understand that, in mind at least, he belongs to the Brobdignagian age of this country. But I think I have hit upon that which would infallibly make my fortune at Laputa. I will tell the honourable baronet what it is.

At the time of the great Bullion controversy in 1810-1811, the main question in dispute turned upon what was the real standard of our money. We wild theorists said, as our simple forefathers had always said before us, that the standard was, and could be, nothing else than the weight and fineness of the gold or silver in the coin of the realm, according to the commands of the sovereign, specified in the indentures of the Mint. Had this definition been admitted by the practical men there would at once have been an end of the contested point—whether our then currency was or was not depre-

ciated. But, for that very reason, this definition was denied by all who maintained the negative of that question. More than a hundred pamphlets were published on that side, containing as many different definitions of the standard. Fifteen of these definitions, most in vogue at the time, I have since retained as a curiosity to laugh at; but they may now, perhaps, be turned to a more valuable purpose. Of that number I only recollect three at this moment. The first defined the standard to be "the abstract pound sterling." This had great success till another practical writer proved, that the standard was the "ideal unit." These two practical standards were, however, finally superseded by a third, of which the definition was, "a sense of value in currency (paper), in reference to commodities." This last standard was at once so perfectly tangible and clearly intelligible, that I consider it as the parent of the famous Resolution of this House, by which the question was to be finally set at rest.

Now, if I should take with me to Laputa this little, but invaluable collection of definitions, I have not the slightest doubt that my pretensions to have the whole monetary system of that island placed under my direction—to be master of the mint—governor of the bank—and superintendent of all the country banks—would be immediately and generally admitted. It is true we have had no authentic account of the progress of political science in that celebrated island for about a century past, but it is scarcely to be imagined that it can have been so

rapid, as to enable their greatest philosophers to challenge the pre-eminence of these definitions, on the score of abstraction, metaphysics, and absurdity; and, at any rate, if the philosophers should cabal against me, the practical men could not fail to be on my side.

I am not aware, Sir, that I have omitted to notice any of the objections which have been urged against the important changes lately made by parliament in our commercial system. That these changes are extensive, as well as important, I readily admit. Whether they will work ultimately for good, or for evil, it becomes not fallible man to pronounce an over peremptory opinion. That the expectation of those who proposed them was, that they would work for good, no man will do us the injustice to deny. That up to this hour I am fortified in that expectation, by the deductions of reason in my own mind, by the authority of all who are most competent to form a dispassionate opinion upon the subject, by the beneficial result of every thing which has hitherto been done, for giving greater freedom to commerce in this country, and by the experience of the opposite effect which vexatious and unnecessary restraints are daily producing in other countries—is what I can most solemnly affirm.

I make this declaration, I can assure you, Sir, in all sincerity of heart, and, as far as I know myself, without any mixture of false pride, or any mistaken feeling of obstinate adherence to consistency. I am the more anxious to make this declaration, in the

face of the House, and of the world, because of late I have been assailed, and distressed, I will own, by ungenerous appeals to my feelings, calling upon me to commune with my conscience and my God, and to say, whether I am under no visitations of compunction and remorse, at having thrown so many persons out of bread, in the trial of a rash experiment, and in the pursuit of a hollow theory. Good God! Sir, that man must have a heart of stone, who can witness without sympathy and the greatest pain, the distress which now unfortunately exists in most of our other great manufactures, as well as in that of silk. But, whilst I hope that I am not wanting in the duties and feelings of a man—I have also a duty to perform as a minister. If immediate relief be, in a great degree, out of our power, it the more becomes us, as the guardians of all that is most valuable in civilised society, to trace the causes of the present calamities, and to prevent, if possible, their recurrence. It is on this principle that I am anxious to put an end to a system of currency which leads to ruinous fluctuations in trade, and in the price of all commodities; which, whether in excitement or depression, is alike undermining the sober habits, and the moral feelings of the community; which confounds honest industry with unprincipled gambling; which injures the poor man in the earnings of his labour, and takes from the rich man all security in his property—a system which creates delusive hopes, only to terminate in aggravated disappointments—of which every suc-

ceeding convulsion must add to our inability to bear it—and of which the inevitable tendency is, to drive capital and industry to other countries; not in Europe only, but even across the Atlantic. The growing dread of instability here, the growing assurance of increased stability in those countries, would ultimately produce this transfer, and with it, the further transfer of the rank and power which England has hitherto maintained among the nations of the world.

If I have ventured to intrude upon the House by any allusion to my personal feelings, they will, I trust, make some allowance for the provocation which I have received. This is the only place in which I can properly reply to the unmanly appeals which have been made to me through other channels. Such appeals, however painful to receive, have no influence on my conduct; neither can they detract from the sanguine hope which I entertain of better prospects and increased happiness for my country. I hailed with great delight, the other evening, the assurance of the right honourable member for Knaresborough (*Mr. Tierney*), that he saw nothing in our present difficulties to create despondency or alarm. In this sentiment I most entirely concur. The existing pressure may, for a short time, bear heavily upon the springs of our prosperity; but if we pursue a temperate course, there is nothing to fear, and every thing to hope, for our future progress. With confidence I cling to that cheering hope; and without looking forward to a

long life, I trust that I shall witness its realisation.

Whether in a public station or in retirement, my greatest happiness will be to feel assured, that the power and resources of this country have been increased by those measures of commercial policy which it has fallen to my lot to submit to parliament.

That such will be their ultimate result, is my firm and conscientious conviction; and, in that conviction, I claim for those measures the continual support of this House.

SPEECH

OF

THE RIGHT HON. GEORGE CANNING,

ON MOVING THE CONSIDERATION OF

THE KING'S MESSAGE ON THE RELATIONS SUBSISTING BETWEEN GREAT BRITAIN AND PORTUGAL.

HOUSE OF COMMONS—DEC. 12, 1826.

MR. SPEAKER,—In proposing to the House of Commons to acknowledge, by an humble and dutiful Address, his Majesty's most gracious message on the subject of the relations subsisting between Great Britain and Portugal, and the present condition of the latter state; and, in calling on this House to reply to that communication, in terms which will be, in fact, an echo to the sentiments contained in the royal message, and equally in accordance with the anticipations of his Majesty's government—in doing this, Sir, I cannot but feel that, however confident I may be in the justice of the cause, and clear as to the policy which it becomes us, in accordance with the recommendations contained in his Majesty's message, to adopt; yet, Sir, I am free to admit, it well becomes a British minister, in recommending a British House of Commons to take any step calculated to bring upon their country the hazards of

war, to make use of the language of regret and sorrow that such a necessity should exist.

I assure the House there is not, within its walls, at this moment, any set of men more fully convinced than are his Majesty's ministers—nor any individual more intimately persuaded than he who has now the honour to address you—of the vital importance of the continuance of peace to this country and to the world. So strongly am I impressed with this opinion, and for reasons of which I will take the liberty before I sit down to adduce to the House, that I am perfectly ready to declare that no question, involving a doubtful success or construction—no consideration of merely present advantage—and, Sir, I will go farther, and add, no anticipation of remote and contingent difficulty could arise, which I should not a thousand times rather completely pass over, or, at least, adjourn, than concur in a measure calling on the government of this country to involve itself in the consequences of a war. But, Sir, there are cases which render the adoption of such a course not merely honourable and beneficial, but also necessary and inevitable, and I am equally certain the present occasion presents such a case; and I feel that what has been acted on in the best times of our history—what has been promulgated by our best statesmen—and what has always received the support and concurrence of successive English parliaments, is an adherence to national faith, and respect for the national honour. These are the two questions which cannot be com-

promised under any circumstances whatsoever—the cause of national faith, and the cause of national honour. Sir, if I did not consider the present question as completely falling within both these cases—if I was not intimately satisfied that the national faith and the national honour were alike interested on this occasion—I should not dare to address the House of Commons, as I now do, in the full and unlimited confidence (almost amounting to conviction) that the most gracious communication made to parliament by his Majesty, will meet with that reply from parliament which his Majesty expects. Viewing the matter as I do, I shall beg leave to proceed, first, to a simple statement and review of facts, in order the better to bring the case under the cognizance of parliament, in the shortest and clearest form I can devise, and of which the subject itself is susceptible.

Before entering into the consideration of any collateral circumstances connected with the subject, I shall state shortly the situation of the case, which, as it appears to me, resolves itself into a case of national law, and a question of fact. With regard to the fact, on the one hand, that is now to be brought under the consideration of parliament, as it has previously been submitted to the attention of his Majesty's government. Sir, in my mind, it is impossible to consider that fact in any other light than that in which it presented itself to the minds of his Majesty's ministers; and I think it equally impossible for parliament and government (taking such a view of the

case) to come to any other decision than that contemplated in his Majesty's message. Among the relations of alliance and amity by which, at different periods of her history, this country has connected herself with the other nations of Europe, there exist no treaties so old in their date—none so constant in their duration—and, I may add, none so precise in the obligations it imposes upon both countries, and so intimately interwoven with the line of policy adopted by Great Britain in its foreign relations, as are the treaties of amity and alliance formed between this country and the kingdom of Portugal. Sir, I may be excused for calling the attention of the House to the fact, that our most remote history contains (I may add, the most brilliant periods of our history are those which contain) notices of the treaties of alliance, amity, and guarantee, subsisting between the King of Great Britain and his Portuguese Majesty. The good understanding thus created between the two countries began early, and has continued long. It has survived a variety of conflicting interests and circumstances, which, in the course of events, from time to time, have naturally and unavoidably arisen. It is much older than the epoch to which I am about to advert, when the good understanding previously subsisting between the two states acquired fresh vigour on the occasion of the present family of Portugal ascending the throne of that kingdom. Anterior to the accession of the house of Braganza to the throne, friendly relations subsisted between Portugal and this country—rela-

tions which were continued without interruption, and renewed with sincerity, on, I will say, both parts. It has been adhered to in periods when the faith of other alliances has been shaken; it has been vindicated in those fields of blood and glory which remain among the most brilliant pages of the history of England. Sir, in that alliance we have always been scrupulously faithful. Sometimes, I admit, we have found the treaty burthensome to maintain—of that there can be no question; and many are those who may have wished us to shake it off, and free ourselves from the incumbrance of observing it; but a feeling of national honour, and what I may be allowed to denominate a sentiment of national sympathy, joined to a common interest, and a cause identified with that country, has induced England to persevere, unterrified by the difficulties attendant upon a continuance of the relations subsisting between us and Portugal.

I feel the considerations to which I have more particularly adverted present too narrow and limited a view of the case. It is not only among ages long gone by, and in treaties now superseded by time and the course of events, that traces are discoverable of the relation in which Portugal has been considered to stand in regard to Great Britain; for in the latest compact entered into between the nations of modern Europe, that which now forms the patent law of the civilised world, I allude, Sir, to the convention of Vienna, a similar course was taken in the treaty then entered into between this country and Portu-

gal. At that period, Sir, Great Britain was well aware of the inconveniences which many individuals were fond of representing as arising out of our connection with Portugal; but we were also aware of the credit, and, I will add, advantage derivable from that connection; and we renewed our obligations to uphold and support Portugal, on future occasions, in terms so strong and imperative, as to lay a foundation perfectly adequate to support the present proceeding. The terms of that treaty I will take leave to read to the House previous to calling on it to concur in the vote, with the proposal of which it is my intention to conclude. The third article of the treaty between Great Britain and Portugal, concluded at Vienna on the 22d of February, 1815, stated, that "the treaty of alliance entered into between his Britannic Majesty and the King of Portugal at Rio de Janeiro, was founded on circumstances of a temporary nature, which had now happily ceased to exist; and, on that ground, the provisions of the treaty should be considered null and void as relating to all the parties interested; however, without prejudice to the ancient and established treaties of alliance, friendship, and guarantee, which had so long and happily subsisted between the two countries: these treaties being now renewed by the high contracting parties, and acknowledged to remain in full force and effect."

In order that the House may fully understand, and accurately appreciate, the effect of the observations which the perusal of this treaty is calculated to excite,

I may be permitted to explain the previous circumstances of Portugal, and the condition of the reigning family in that country. In the year 1807, when, by the declaration of Buonaparte, the house of Braganza ceased to reign, the King of Portugal, under the advice of his Britannic Majesty's government, set sail for the Brazils, and established in that country the seat of his monarchy. This step was taken by virtue of a secret convention concluded between this country and Portugal, to the effect, that so long as the House of Braganza remained in that part of their dominions, or in the event of their return, his Britannic Majesty would never acknowledge any other dynasty on the throne of Portugal than the family of Braganza. I may be allowed to remark, that this convention greatly contributed to the furtherance of a proceeding which placed that family beyond the power of Bounaparte, and consequently promoted the ascendancy of British interests in the Peninsula. It was this secret convention that brought about the emigration, and greatly contributed to decide that step by which the royal family of Portugal was removed from the power of France.

The King of Portugal having become established upon his throne, the article ceased to be secret, and became part of the law of nations by the treaty of 1810, and from that time up to the treaty of Vienna. It was clearly understood throughout Europe, that we had determined not to acknowledge any sovereign in Portugal, except a member of the

house of Braganza. But that determination arose solely from the supposition that that sovereign would be compelled to a forced residence in Brazil. Beyond this it was not binding upon us, as it was felt that the moment the ground of the obligation ceased, there was an end to the treaty. It happened, in consequence of the happy conclusion of the war, that the option of returning was offered to his Majesty, and as it was felt that the force of such a previous obligation no longer existed, the forcible separation from Portugal not continuing, it was deemed reasonable that we should perform such other obligation as the force of existing treaties rendered imperative upon us. The King of Portugal came into possession of his European dominions, the ground of our former obligation ceased, and the treaty was so far ended. But, when that treaty was so far ended, there came another obligation, which I have just now read to the House. That treaty, I may be allowed to say, was repealed without prejudice to other ancient treaties of friendship and alliance; treaties to long and so happily subsisting between the two crowns of Portugal and Great Britain, which were, to a certain extent, renewed by the two high contracting parties, and which are, to this day, of full force and effect. I should also state, that if all the treaties to which this paragraph referred, were, by some convulsion of nature, or some other accident, consigned to total oblivion, I consider Great Britain to be morally bound to fulfil her obligations, and that, in case of necessity, she

would be bound, and is bound, to act in the defence of Portugal. But, happily, that is not the case; all the preceding treaties are in existence—they are in the full knowledge of all the civilised nations of the world—they are of easy reference to all mankind—they are known to Spain—to all the continental states of Europe—they are so numerous, and the result of the whole is so clear, that I shall merely select one or two of them, with a view to show the nature of our obligations to our ancient friend and ally—Portugal.

The first to which I shall advert is that concluded in 1661, at the time of the marriage of Charles II. with the infanta of Portugal. The obligations of that treaty, after reciting the delivering of Bombay, Tangier, and other places, some of which still remained, and some not, to the government to which they were delivered, it was stated, that, in consideration of those grants, which were of so much benefit to the King of Great Britain, he professed, and declared himself, by and with the consent of his privy council, that he would take upon him the defence of Portugal, that he would aid and defend her by sea and by land, with all his power, and in all other manner and respect, even as he would defend England itself. By that treaty it was further conditioned, that, in case of necessity, or any foreign attack, he should send and transport, at his own proper cost and expense, two regiments of horse, of 500 men, and two regiments of foot, of 1000 men each. There were other various stipulations,

amounting to the same effect, which render it unnecessary for me to go farther into it at present.

The next treaty, to which I beg the attention of the House, is that of 1703: it was a tripartite treaty, made between the States-general of Holland, Great Britain, and Portugal: and was contemporaneous with the famous commercial treaty of Methuen, whose provisions still continue to be in full force and effect. By the second article of the treaty of 1703, it was conditioned, that if at any time, and whenever it happened, the Kings of Spain or France, or both, or either of them, should make war on Portugal, or give reason to suspect they had jointly or separately any intention to make war on her or her colonial possessions beyond the seas; her Majesty shall use her good offices to persuade those powers not to make war; but, in case those offices should not succeed, the third article provides, that should such interference not be successful, and should war be actually made on Portugal, then the above-named contracting powers declare, that they shall make war on the Kings of Spain or France, or both or either of them; and that, while hostile arms shall be borne against Portugal, they shall provide 12,000 men, armed and equipped, and leave them there while their presence may be deemed necessary. From these articles, the House will perceive the nature, if not the extent, of our ancient obligations to our ally. I am ready to admit, Sir, that either of these treaties might, by time and circumstances, be supposed to have relaxed in their force; or it might

be asked, why one party having withdrawn itself from the responsibility, say Holland, for instance, the other should still be considered as bound to adhere to it? It may be said, the language of these treaties is so loose and prodigal, that they could only have originated in good feeling, and that it was out of nature to suppose any one nation would engage to defend another as she would herself. It may be said, there is something so exaggerated in these treaties, that they were never intended to be carried into effect. But with regard to this very treaty of 1703, even if I stood upon it alone; even though the circumstances of Holland had changed; even if her sentiments had changed; if her obligations were either altered or had become obsolete; I need not raise the question whether, the government and sentiments of England not changing, she is now liable or not to perform her obligation? This is not the time to do so, even if I admitted that such a question could have been raised. The objections, if any, should have been taken at the Congress of Vienna, when the eyes of the whole world were open to our relative situation with Portugal; when we proclaimed the existence of our ancient treaties of friendship and alliance, so long subsisting with her; and when they were acknowledged to be of full force and effect. That was the time to object, if objection was thought necessary; and it is not so much on the specific articles of the treaties of 1661 and 1703 that we have acted and continue to act, as on the general

spirit of all the treaties, admitted and recognised at the Congress of Vienna. I say Portugal has a right to claim the assistance of Great Britain, as an ally, and call upon her to defend the integrity of her territory. This is the state of the case as to our moral and political obligations towards Portugal; and I am not ashamed to say—I have a right to say—that when Portugal, in the apprehension of a coming storm, applied for our assistance; while we had no hesitation in acknowledging our obligation to afford it, if the *causus fœderis* had once arisen; yet I say that we were bound to wait till we ascertained the fact upon sufficient authority. Whether delay or difficulty interposed, it was not as to the existence of an admitted obligation, but as to the knowledge of the fact having actually taken place, which justified the call for our assistance.

In this stage of our proceedings, I beg to answer incidentally a charge of delay which has been made against his Majesty's government on this very important subject. But, in few words, I can state to the House, there is not the shadow of foundation for any such charge. It was only on Sunday, the 3d of December, that I received from the Portuguese ambassador the direct and formal demand of assistance from this country. True, long before that time rumours were afloat of an unauthorised description—rumours finding their way from Madrid, where every thing was distorted, through the channels of the French press, where every thing was again disfigured and perverted, to serve party pur-

poses; but, until the 8th of December, we had not received that accurate information on which alone we could found a communication to parliament. That precise information, on which we could act, only arrived on Friday last. On Saturday, the decision of the government was taken—on Sunday we obtained the sanction of his Majesty—on Monday we came down to parliament—and at this very hour, while I have now the honour of addressing the House, British troops are on their march for Portugal. I trust, therefore, that we are not in justice to be charged with any unseemly delay; but, on the other hand, while we felt the claim of Portugal to be so clear, our obligation to assist her so binding, and the possible consequences of interference so spreading, it was our duty not to give any credit to hearsay or to rumour: but, while admitting the full force of our obligation, we were bound to have the full knowledge of the facts of the case, before we took a step whose consequences no man could precisely calculate. Rumours and reports, as I have just said, were long afloat, of incursions made by Spain upon our ally; but, then, they reached us through channels upon which no man in his senses would found any grave proceeding. In one case, at Madrid, they were put forth to deceive; in others, to conceal; and, coming through the French newspaper press—these rumours, I say, coming through such sources, were not to be relied on by his Majesty's government, and we therefore waited for authenticated facts, in order to come before parlia-

ment with what we might call the truth. In former instances when parliament was called upon to assist Portugal, the regular and constitutional power of the monarchy was lodged in the breast of the King: the signification of his wish, the expression of his desire, the putting forward his individual claim for assistance, would have been enough; but when it was stated to me that matters had changed, that the constitution was modified and altered, it became my duty to inquire, first, whether the constitution of Portugal authorised the claim; next, if it were competent to the authorities making it to do so, and whether the chambers had given their sanction to the reception of our troops, such as we were to expect for the troops of an old and faithful ally. We were bound to take care, before a single soldier left England, or set his foot upon the shore of Portugal, that the sanction of the executive—of all the proper authorities—should be obtained; and I beg leave again to state, with reference to the charge of delay, which has somewhere or other been brought against his Majesty's ministers, that it was only this morning I received the sanction of the chambers assembled at Lisbon. So far, then, from any charge of delay being justifiably brought against the government, I can boldly say, had we proceeded faster, we would have acted precipitately, and every caution was necessary to be used, before we involved this country in proceedings, which might prove to be unnecessary by the result, or might expose us to an unpleasant reception of our troops in Portugal.

The account which I received to-day of the proceedings of the chambers at Lisbon, is contained in a despatch from Sir W. A'Court, dated the 29th of November. It states, that the day after the arrival of the news of the entry of the rebels, ministers demanded the extension of their executive powers, an augmentation of the troops, and permission to apply for foreign assistance. The deputies assembled agreed to the demand with acclamation, and a similar spirit operating in the other chamber, the members rose in a body from their seats, expressed their readiness to acquiesce in the call, and many of them offered their personal assistance in the cause of their country. The Duke de Cadaval, the president, was the first who so declared himself, and the minister, who described the proceeding to our ambassador, declared it was a moment worthy of the good days of Portugal.

So far the House will see we have a reasonable guarantee for the good reception of our troops; and then, the next question remaining for our consideration is, has the *casus fœderis* arrived? Bands of Portuguese, armed, equipped, and trained in Spain, had made hostile incursions into Portugal at several points; and what is remarkable in this case is, that the attack on Portugal is not the ground on which the application for British assistance has been complied with. The attack in the south of Portugal was stated in the French papers; but that on Tras os Montes was only received, authentically, this morning, and those on Villa Viciosa no longer ago than

Friday. The intelligence of this new fact is the more satisfactory, as it confirmed the facts which were already known. The irruption upon one point of Portugal might be stated to be made by some corps who had escaped the vigilance of the Spanish government; it might be represented as the effort of some stragglers, acting in defiance of Spain: but an attack on the whole line gives that decided and certain character to the aggression which cannot be mistaken.

If a single company of Spanish soldiers, in arms, had crossed the frontier, the hostile aggression would be undoubted; and here the question is, to consider whether persons, clothed and equipped by Spain, and crossing the frontiers, are, or are not, guilty of an attack or invasion of Portugal—forsooth, because they were not Spanish soldiers, or Spanish mercenaries in the employ of Spain; but Portuguese troops, whom Portugal had nurtured, and who, in return, had brought with them devastation into their native land, and that by means furnished by a foreign enemy? Why, it could be but petty and puerile quibbling to say, that this was not an invasion, because the agents were originally from Portugal: and that, therefore, their attack was not to be repelled.

I have already stated, and I now repeat, that it never has been the wish or the pretension of the British government to interfere in the internal concerns of the Portuguese nation. Questions of that kind the Portuguese nation must settle among them-

selves. But if we were to admit that hordes of traitorous refugees from Portugal, with Spanish arms—or arms furnished or restored to them by Spanish authorities—in their hands, might put off their country for one purpose, and put it on again for another—put it off for the purpose of attack, and put it on again for the purpose of impunity—if, I say, we were to admit this juggle, and either pretend to be deceived by it ourselves, or attempt to deceive Portugal, into a belief that there was nothing of external attack, nothing of foreign hostility, in such a system of aggression—such pretence and attempt would perhaps be only ridiculous and contemptible, if they did not require a much more serious character from being employed as an excuse for infidelity to ancient friendship, and as a pretext for getting rid of the positive stipulations of treaties.

This, then, is the case which I lay before the House of Commons. Here is, on the one hand, an undoubted pledge of national faith—not taken in a corner—not kept secret between the parties—but publicly recorded amongst the annals of history, in the face of the world. Here are, on the other hand, undeniable acts of foreign aggression, perpetrated, indeed, principally through the instrumentality of domestic traitors; but supported with foreign means, instigated by foreign councils, and directed to foreign ends. Putting these facts and this pledge together, it is impossible that his Majesty should refuse the call that has been made upon him; nor can parliament, I am convinced, refuse to enable his

Majesty to fulfil his undoubted obligations. I am willing to rest the whole question of to-night, and to call for the vote of the House of Commons upon this simple case, divested altogether of collateral circumstances; from which I especially wish to separate it, in the minds of those who hear me, and also in the minds of others, to whom what I now say will find its way. If I were to sit down this moment, without adding another word, I have no doubt but that I should have the concurrence of the House in the Address which I mean to propose.

When I state this, it will be obvious to the House, that the vote for which I am about to call upon them is a vote for the defence of Portugal, not a vote for war against Spain. I beg the House to keep these two points entirely distinct in their consideration. For the former I think I have said enough. If, in what I have now farther to say, I should bear hard upon the Spanish government, I beg that it may be observed that, unjustifiable as I shall show their conduct to have been—contrary to the law of nations, contrary to the law of good neighbourhood, contrary, I might say, to the laws of God and man—with respect to Portugal—still I do not mean to preclude a *locus pœnitentiæ*, a possibility of redress and reparation. It is our duty to fly to the defence of Portugal, be the assailant who he may. And, be it remembered, that in thus fulfilling the stipulations of ancient treaties, of the existence and obligation of which all the world are aware, we, according to the universally admitted

construction of the law of nations, neither make war upon that assailant, nor give to that assailant, much less to any other power, just cause of war against ourselves.

Sir, the present situation of Portugal is so anomalous, and the recent years of her history are crowded with events so unusual, that the House will, perhaps, not think that I am unprofitably wasting its time, if I take the liberty of calling its attention shortly and succinctly to those events, and to their influence on the political relations of Europe. It is known that the consequence of the residence of the King of Portugal in Brazil, was to raise the latter country from a colonial to a metropolitan condition; and that from the time when the King began to contemplate his return to Portugal, there grew up in Brazil a desire of independence that threatened dissension, if not something like civil contest, between the European and American dominions of the house of Braganza. It is known also that Great Britain undertook a mediation between Portugal and Brazil, and induced the King to consent to a separation of the two crowns—confirming that of Brazil on the head of his eldest son. The ink with which this agreement was written was scarcely dry, when the unexpected death of the King of Portugal produced a new state of things, which re-united on the same head the two crowns which it had been the policy of England, as well as of Portugal and of Brazil to separate. On that occasion, Great Britain, and another European court closely

connected with Brazil, tendered advice to the Emperor of Brazil, now become King of Portugal, which advice it cannot be accurately said that his imperial Majesty followed, because he had decided for himself before it reached Rio de Janeiro; but in conformity with which advice, though not in consequence of it, his imperial Majesty determined to abdicate the crown of Portugal in favour of his eldest daughter. But the Emperor of Brazil had done more. What had not been foreseen—what would have been beyond the province of any foreign power to advise—his imperial Majesty had accompanied his abdication of the crown of Portugal with the grant of a free constitutional charter to that kingdom.

It has been surmised that this measure, as well as the abdication which it accompanied, was the offspring of our advice. No such thing—Great Britain did not suggest this measure. It is not her duty nor her practice to offer suggestions for the internal regulation of foreign states. She neither approved nor disapproved of the grant of a constitutional charter to Portugal: her opinion upon that grant was never required. True it is, that the instrument of the constitutional charter was brought to Europe by a gentleman of high trust in the service of the British government. Sir C. Stuart had gone to Brazil to negociate the separation between that country and Portugal. In addition to his character of plenipotentiary of Great Britain, as the mediating power, he had also been invested by the

King of Portugal with the character of his most faithful Majesty's plenipotentiary for the negociation with Brazil. That negociation had been brought to a happy conclusion; and therewith the British part of Sir C. Stuart's commission had terminated. But Sir C. Stuart was still resident at Rio de Janeiro, as the plenipotentiary of the King of Portugal, for negociating commercial arrangements between Portugal and Brazil. In this latter character it was, that Sir C. Stuart, on his return to Europe, was requested by the Emperor of Brazil to be the bearer to Portugal of the new constitutional charter. His Majesty's government found no fault with Sir C. Stuart for executing this commission: but it was immediately felt, that if Sir C. Stuart were allowed to remain at Lisbon, it might appear, in the eyes of Europe, that England was the contriver and imposer of the Portuguese constitution. Sir C. Stuart was, therefore, directed to return home forthwith: in order that the constitution, if carried into effect there, might plainly appear to be adopted by the Portuguese nation itself, not forced upon them by English interference.

As to the merits, Sir, of the new constitution of Portugal, I have neither the intention, nor the right, to offer any opinion. Personally, I may have formed one; but as an English minister, all I have to say is,—"May God prosper this attempt at the establishment of constitutional liberty in Portugal! and may that nation be found as fit to enjoy and to cherish its new-born privileges, as it has often

proved itself capable of discharging its duties amongst the nations of the world!"

I, Sir, am neither the champion nor the critic of the Portuguese constitution. But it is admitted on all hands to have proceeded from a legitimate source—a consideration which has mainly reconciled continental Europe to its establishment: and to us, as Englishmen, it is recommended, by the ready acceptance which it has met with from all orders of the Portuguese people. To that constitution, therefore, thus unquestioned in its origin, even by those who are most jealous of new institutions—to that constitution, thus sanctioned in its outset by the glad and grateful acclamations of those who are destined to live under it—to that constitution, founded on principles in a great degree similar to those of our own, though differently modified—it is impossible that Englishmen should not wish well. But it would not be for us to force that constitution on the people of Portugal, if they were unwilling to receive it, or if any schism should exist amongst the Portuguese themselves, as to its fitness and congeniality to the wants and wishes of the nation. It is no business of ours to fight its battles. We go to Portugal in the discharge of a sacred obligation, contracted under ancient and modern treaties. When there, nothing shall be done by us to enforce the establishment of the constitution;—but we must take care that nothing shall be done by others to prevent it from being fairly carried into effect. Internally, let the Portuguese settle their own

affairs; but with respect to external force, while Great Britain has an arm to raise, it must be raised against the efforts of any power that should attempt forcibly to control the choice, and fetter the independence of Portugal.

Has such been the intention of Spain? Whether the proceedings which have lately been practised or permitted in Spain, were acts of a government exercising the usual power of prudence and foresight (without which a government is, for the good of the people which live under it, no government at all), or whether they were the acts of some secret illegitimate power—of some furious fanatical faction, over-riding the counsels of the ostensible government, defying it in the capital, and disobeying it on the frontiers—I will not stop to inquire. It is indifferent to Portugal, smarting under her wrongs—it is indifferent to England, who is called upon to avenge them—whether the present state of things be the result of the intrigues of a faction, over which, if the Spanish government has no control, it ought to assume one as soon as possible—or of local authorities, over whom it has control, and for whose acts it must, therefore, be held responsible. It matters not, I say, from which of these sources the evil has arisen. In either case, Portugal must be protected; and from England that protection is due.

It would be unjust, however, to the Spanish government, to say, that it is only amongst the members of that government that an unconquerable

hatred of liberal institutions exists in Spain. However incredible the phenomenon may appear in this country, I am persuaded that a vast majority of the Spanish nation entertain a decided attachment to arbitrary power, and a predilection for absolute government. The more liberal institutions of countries in their neighbourhood have not yet extended their influence into Spain, nor awakened any sympathy in the mass of the Spanish people. Whether the public authorities of Spain did or did not partake of the national sentiment, there would almost necessarily grow up between Portugal and Spain, under present circumstances, an opposition of feelings, which it would not require the authority or the suggestions of the government to excite and stimulate into action. Without blame, therefore, to the government of Spain,—out of the natural antipathy between the two neighbouring nations—the one prizing its recent freedom, the other hugging its traditionary servitude—there might arise mutual provocations, and reciprocal injuries which, perhaps, even the most active and vigilant ministry could not altogether restrain. I am inclined to believe that such has been, in part at least, the origin of the differences between Spain and Portugal. That in their progress they have been adopted, matured, methodised, combined, and brought into more perfect action, by some authority more united and more efficient than the mere feeling disseminated through the mass of the community, is certain; but I do believe their origin to have been as much in

the real sentiment of the Spanish population, as in the opinion or contrivance of the government itself.

Whether this be or be not the case, is precisely the question between us and Spain. If, though partaking in the general feelings of the Spanish nation, the Spanish government has, nevertheless, done nothing to embody those feelings, and to direct them hostilely against Portugal; if all that has occurred on the frontiers, has occurred only because the vigilance of the Spanish government has been surprised, its confidence betrayed, and its orders neglected—if its engagements have been repeatedly and shamefully violated, not by its own good will, but against its recommendation and desire—let us see some symptoms of disapprobation, some signs of repentance, some measures indicative of sorrow for the past, and of sincerity for the future. In that case, his Majesty's Message, to which I propose this night to return an answer of concurrence, will retain the character which I have ascribed to it,—that of a measure of defence for Portugal, not a measure of resentment against Spain.

With these explanations and qualifications, let us now proceed to the review of facts. Great desertions took place from the Portuguese army into Spain, and some desertions took place from the Spanish army into Portugal. In the first instance, the Portuguese authorities were taken by surprise; but, in every subsequent instance, where they had an opportunity of exercising a discretion, it is but

just to say, that they uniformly discouraged the desertions of the Spanish soldiery. There exist between Spain and Portugal specific treaties, stipulating the mutual surrender of deserters. Portugal had, therefore, a right to claim of Spain that every Portuguese deserter should be forthwith sent back. I hardly know whether from its own impulse, or in consequence of our advice, the Portuguese government waved its right under those treaties; very wisely reflecting, that it would be highly inconvenient to be placed, by the return of their deserters, in the difficult alternative of either granting a dangerous amnesty, or ordering numerous executions. The Portuguese government, therefore, signified to Spain that it would be entirely satisfied if, instead of surrendering the deserters, Spain would restore their arms, horses, and equipments; and, separating the men from their officers, would remove both from the frontiers into the interior of Spain. Solemn engagements were entered into by the Spanish government to this effect—first with Portugal, next with France, and afterwards with England. Those engagements, concluded one day, were violated the next. The deserters, instead of being disarmed and dispersed, were allowed to remain congregated together near the frontiers of Portugal, where they were enrolled, trained, and disciplined, for the expedition which they have since undertaken. It is plain that in these proceedings there was perfidy somewhere. It rests with the Spanish government to show, that it was not with them. It rests with

the Spanish government to prove, that if its engagements have not been fulfilled—if its intentions have been eluded and unexecuted, the fault has not been with the government; and that it is ready to make every reparation in its power.

I have said that these promises were made to France and to Great Britain, as well as to Portugal. I should do a great injustice to France if I were not to add, that the representations of that government upon this point with the cabinet of Madrid, have been as urgent, and, alas! as fruitless, as those of Great Britain. Upon the first irruption into the Portuguese territory, the French government testified its displeasure by instantly recalling its ambassador; and it further directed its chargé d'affaires to signify to his Catholic Majesty, that Spain was not to look for any support from France against the consequences of this aggression upon Portugal. I am bound, I repeat, in justice to the French government, to state, that it has exerted itself to the utmost, in urging Spain to retrace the steps which she has so unfortunately taken. It is not for me to say whether any more efficient course might have been adopted to give effect to their exhortations; but as to the sincerity and good faith of the exertions made by the government of France, to press Spain to the execution of her engagements, I have not the shadow of a doubt:—and I confidently reckon upon their continuance.

It will be for Spain, upon knowledge of the step now taken by his Majesty, to consider in what way

she will meet it. The earnest hope and wish of his Majesty's government is, that she may meet it in such a manner as to avert any ill consequences to herself, from the measure into which we have been driven by the unjust attack upon Portugal.

Sir, I set out with saying, that there were reasons which entirely satisfied my judgment that nothing short of a point of national faith or national honour, would justify at the present moment, any voluntary approximation to the possibility of war. Let me be understood, however, distinctly, as not meaning to say that I dread a war in a good cause, (and in no other may it be the lot of this country ever to engage!) from a distrust of the strength of the country to commence it, or of her resources to maintain it. I dread it, indeed—but upon far other grounds: I dread it from an apprehension of the tremendous consequences which might arise from any hostilities in which we might now be engaged. Some years ago, in the discussion of the negociations respecting the French war against Spain, I took the liberty of adverting to this topic. I then stated that the position of this country in the present state of the world, was one of neutrality, not only between contending nations, but between conflicting principles; and that it was by neutrality alone that we could maintain that balance, the preservation of which, I believed to be essential to the welfare of mankind. I then said, that I feared that the next war which should be kindled in Europe, would be a war not

so much of armies, as of opinions. Not four years have elapsed, and behold my apprehension realised! It is, to be sure, within narrow limits that this war of opinion is at present confined: but it *is* a war of opinion, that Spain, (whether as government or as nation,) is now waging against Portugal; it is a war which has commenced in hatred of the new institutions of Portugal. How long is it reasonable to expect that Portugal will abstain from retaliation? If into that war this country shall be compelled to enter, we shall enter into it with a sincere and anxious desire to mitigate rather than exasperate—and to mingle only in the conflict of arms, not in the more fatal conflict of opinions. But I much fear that this country, (however earnestly she may endeavour to avoid it,) could not, in such case, avoid seeing ranked under her banners all the restless and dissatisfied of any nation with which she might come in conflict. It is the contemplation of this new power in any future war, which excites my most anxious apprehension. It is one thing to have a giant's strength, but it would be another to use it like a giant. The consciousness of such strength is, undoubtedly, a source of confidence and security; but in the situation in which this country stands, our business is not to seek opportunities of displaying it, but to content ourselves with letting the professors of violent and exaggerated doctrines on both sides feel, that it is not their interest to convert an umpire into an adversary. The situation of England, amidst the struggle of political opinions

which agitates more or less sensibly different countries of the world, may be compared to that of the Ruler of the Winds, as described by the poet:—

—— "Celsâ sedet Æolus arce,
Sceptra tenens; mollitque animos et temperat iras;
Ni faciat, maria ac terras cœlumque profundum
Quippe ferant rapidi secum, verrantque per auras."

The consequence of letting loose the passions at present chained and confined, would be to produce a scene of desolation which no man can contemplate without horror; and I should not sleep easy on my couch, if I were conscious that I had contributed to precipitate it by a single moment.

This, then, is the reason—a reason very different from fear—the reverse of a consciousness of disability—why I dread the recurrence of hostilities in any part of Europe; why I would bear much, and would forbear long; why I would, as I have said, put up with almost any thing that did not touch national faith and national honour;—rather than let slip the furies of war, the leash of which we hold in our hands—not knowing whom they may reach, or how far their ravages may be carried. Such is the love of peace which the British government acknowledges; and such the necessity for peace which the circumstances of the world inculcate. I will push these topics no farther.

I return, in conclusion, to the object of the Address. Let us fly to the aid of Portugal, by whomsoever attacked, because it is our duty to do so, and let us cease our interference where that duty ends.

We go to Portugal, not to rule, not to dictate, not to prescribe constitutions—but to defend and to preserve the independence of an ally. We go to plant the standard of England on the well-known heights of Lisbon. Where that standard is planted, foreign dominion shall not come.

[The Speaker having read the Address, which was received with much applause—SIR ROBERT WILSON approved of the steps government had taken, but insisted that France ought to be required to march her troops out of Spain.—MR. HUME opposed the Address on the ground that the country was not in a condition to maintain a war, and moved an amendment, which was seconded by MR. WOOD.—MR. BARING was satisfied that a strong case for our interference in defence of Portugal had been made out.—MR. BANKES was not satisfied that the war was indispensable.—MR. BROUGHAM supported the Address, in a most impressive speech, in the course of which he said, "I cannot but rely on those sound, enlightened, liberal, and truly English principles—principles worthy of our best times, and of our most distinguished statesmen, which now govern the councils of this country in her foreign policy, and inspire the eloquence of the right honourable Secretary with a degree of fervour, energy, and effect, extraordinary and unprecedented in this House—unprecedented (I can give it no higher praise) even in the eloquence of the right honourable gentleman himself."—MR. BRIGHT contended that, no act of aggression having been committed, we

were not bound to interfere, as no act of aggression had been avowed by Spain.—MR. CANNING then replied:]

I rise, Sir, for the purpose of making a few observations, not so much in answer to any general arguments, as in reply to two or three particular objections which have been urged against the Address which I have had the honour to propose to the House.

In the first place, I frankly admit to my honourable friend (*Mr. Bankes*), the member for Dorsetshire, that I have understated the case against Spain—I have done so designedly—I warned the House that I would do so—because I wished no further to impeach the conduct of Spain than was necessary for establishing the *casus fœderis* on behalf of Portugal. To have gone further—to have made a full statement of the case against Spain—would have been to preclude the very object which I have in view—that of enabling Spain to preserve peace without dishonour.

The honourable gentleman (*Mr. Bright*) who spoke last, indeed, in his extreme love for peace, proposes expedients which, as it appears to me, would render war inevitable. He would avoid interference at this moment, when Spain may be yet hesitating as to the course which she shall adopt; and the language which he would hold to Spain is, in effect, this—"You have not yet done enough to implicate British faith, and to provoke British honour. You have not done enough, in merely

enabling Portuguese rebels to invade Portugal, and to carry destruction into her cities; you have not done enough in combining knots of traitors, whom, after the most solemn engagements to disarm and to disperse them, you carefully re-assembled, and equipped and sent back with Spanish arms, to be plunged into kindred Portuguese bosoms. I will not stir for all these things. Pledged though I am by the most solemn obligations of treaty to resent attack upon Portugal as injurious to England. I love too dearly the peace of Europe to be goaded into activity by such trifles as these. No. But give us a good declaration of war, and then I'll come and fight you with all my heart." This is the honourable gentleman's contrivance for keeping peace. The more clumsy contrivance of his Majesty's government is this:—"We have seen enough to show to the world that Spain authorised, if she did not instigate, the invasion of Portugal;" and we say to Spain, "Beware, we will avenge the cause of our ally, if you break out into declared war; but, in the meantime, we will take effectual care to frustrate your concealed hostilities." I appeal to my honourable friend, the member for Dorsetshire, whether he does not prefer this course of his Majesty's government, the object of which is to nip growing hostilities in the ear, to that of the gallant and chivalrous member for Bristol, who would let aggressions ripen into full maturity, in order that they may then be mowed down with the scythe of a magnificent war.

My honourable friend (*Mr. Bankes*) will now see why it is that no papers have been laid before the House. The facts which call for our interference in behalf of Portugal, are notorious as the noon-day sun. That interference is our whole present object. To prove more than is sufficient for that object, by papers laid upon the table of this House, would have been to preclude Spain from that *locus penitentiæ* which we are above all things desirous to preserve to her. It is difficult, perhaps, with the full knowledge which the government must in such cases possess, to judge what exact portion of that knowledge should be meted out for our present purpose, without hazarding an exposure which might carry us too far. I know not how far I have succeeded in this respect; but I can assure the House, that if the time should unfortunately arrive when a further exposition shall become necessary, it will be found, that it was not for want of evidence that my statement of this day has been defective.

An amendment has been proposed, purporting a delay of a week, but in effect, intended to produce a total abandonment of the object of the Address; and that amendment has been justified by a reference to the conduct of the government, and to the language used by me in this House, between three and four years ago. It is stated, and truly, that I did not then deny that cause for war had been given by France in the invasion of Spain, if we had then thought fit to enter into war on that account.

But it seems to be forgotten that there is one main difference between that case and the present—which difference, however, is essential and all-sufficient. We were then free to go to war, if we pleased, on grounds of political expediency. But we were not then bound to interfere, on behalf of Spain, as we now are bound to interfere on behalf of Portugal, by the obligations of treaty. War might then have been our free choice, if we had deemed it politic—interference on behalf of Portugal is now our duty, unless we are prepared to abandon the principles of national faith and national honour.

It is a singular confusion of intellect which confounds two cases so precisely dissimilar. Far from objecting to the reference to 1823, I refer to that same occasion to show the consistency of the conduct of myself and my colleagues. We were then accused of truckling to France, from a pusillanimous dread of war. We pleaded guilty to the charge of wishing to avoid war. We described its inexpediency, its inconveniences, and its dangers—(dangers, especially of the same sort of those which I have hinted at to-day); but we declared that, although we could not overlook those dangers, those inconveniences, and that inexpediency, in a case in which remote interest and doubtful policy were alone assigned as motives for war, we would cheerfully affront them all, in a case—if it should arrive—where national faith or national honour were concerned. Well, then, a case has now arisen, of

which the essence is faith—of which the character is honour. And when we call upon parliament, not for offensive war—which was proposed to us in 1823—but for defensive armament, we are referred to our abstinence in 1823, as disqualifying us for exertion at the present moment; and we are told, that because we did not attack France on that occasion, we must not defend Portugal on this. I, Sir, like the proposers of the amendment, place the two cases of 1823 and 1826, side by side, and deduce from them, when taken together, the exposition and justification of our general policy. I appeal from the warlike preparations of to-day, to the forbearance of 1823, in proof of the pacific character of our counsels; I appeal from the imputed tameness of 1823, to the Message of to-night, in illustration of the nature of those motives, by which a government, generally pacific, may nevertheless be justly roused into action.

Having thus disposed of the objections to the Address, I come next to the suggestions of some who profess themselves friendly to the purpose of it, but who would carry that purpose into effect by means which I certainly cannot approve. It has been suggested, Sir, that we should at once ship off the Spanish refugees now in this country, for Spain; and that we should, by the repeal of the Foreign Enlistment Act, let loose into the contest all the ardent and irregular spirits of this country. Sir, this is the very suggestion which I have anticipated with apprehension, in any war in which this country

might be engaged, in the present unquiet state of the minds of men in Europe. These are the expedients, the tremendous character of which I ventured to adumbrate rather than to describe, in the speech with which I prefaced the present motion. Such expedients I disclaim. I dread and deprecate the employment of them. So far, indeed, as Spain herself is concerned, the employment of such means would be strictly, I might say, epigrammatically just. The Foreign Enlistment Act was passed in the year 1819, if not at the direct request, for the especial benefit of Spain. What right, then, would Spain have to complain if we should repeal it now, for the especial benefit of Portugal?

The Spanish refugees have been harboured in this country, it is true; but on condition of abstaining from hostile expeditions against Spain; and more than once, when such expeditions have been planned, the British government has interfered to suppress them. How is this tenderness for Spain rewarded? Spain not only harbours, and fosters, and sustains, but arms, equips, and marshals the traitorous refugees of Portugal, and pours them by thousands into the bosom of Great Britain's nearest ally. So far, then, as Spain is concerned, the advice of those who would send forth against Spain such dreadful elements of strife and destruction, is, as I have admitted, not unjust. But I repeat, again and again, that I disclaim all such expedients; and that I dread especially a war with Spain, because it is the

war of all others in which, by the example and practice of Spain herself, such expedients are most likely to be adopted. Let us avoid that war if we can—that is, if Spain will permit us to do so. But in any case, let us endeavour to strip any war—if war we must have—of that formidable and disastrous character which the honourable and learned gentleman (*Mr. Brougham*) has so eloquently described; and which I was happy to hear him concur with me in deprecating, as the most fatal evil by which the world could be afflicted.

Sir, there is another suggestion with which I cannot agree, although brought forward by two honourable members, (*Sir R. Wilson and Mr. Baring,*) who have, in the most handsome manner, stated their reasons for approving of the line of conduct now pursued by his Majesty's government. Those honourable members insist that the French army in Spain has been, if not the cause, the encouragement of the late attack by Spain against Portugal; that his Majesty's government were highly culpable in allowing that army to enter into Spain; that its stay there is highly injurious to British interests and honour; and that we ought instantly to call upon France to withdraw it.

There are, Sir, so many considerations connected with these propositions, that were I to enter into them all, they would carry me far beyond what is either necessary or expedient to be stated on the present occasion. Enough, perhaps, it is for me to say, that I do not see how the withdrawing of the

French troops from Spain could effect our present purpose. I believe, Sir, that the French army in Spain is now a protection to that very party which it was originally called in to put down. Were the French army suddenly removed at this precise moment, I verily believe that the immediate effect of that removal would be, to give full scope to the unbridled rage of a fanatical faction, before which, in the whirlwind of intestine strife, the party least in numbers would be swept away.

So much for the immediate effect of the demand which it is proposed to us to make, if that demand were instantly successful. But when, with reference to the larger question of a military occupation of Spain by France, it is averred, that by that occupation the relative situation of Great Britain and France is altered; that France is thereby exalted and Great Britain lowered, in the eyes of Europe, I must beg leave to say that I dissent from that averment. The House knows, the country knows, that when the French army was on the point of entering Spain, his Majesty's government did all in their power to prevent it,—that we resisted it by all means short of war. I have just now stated some of the reasons why we did not think the entry of that army into Spain a sufficient ground for war; but there was, in addition to those which I have stated, this peculiar reason,—that whatever effect a war, commenced upon the mere ground of the entry of a French army into Spain might have, it probably would not have had the effect of getting

that army out of Spain. In a war against France at that time, as at any other, you might, perhaps, have acquired military glory; you might, perhaps, have extended your colonial possessions; you might even have achieved, at great cost of blood and treasure, an honourable peace; but as to getting the French out of Spain, that would have been the one object which you, almost certainly, would not have accomplished. How seldom, in the whole history of the wars of Europe, has any war between two great powers ended, in the obtaining of the exact, the identical object, for which the war was begun!

Besides, Sir, I confess I think, that the effects of the French occupation of Spain have been infinitely exaggerated.

I do not blame those exaggerations, because I am aware that they are to be attributed to the recollections of some of the best times of our history; that they are the echoes of sentiments which, in the days of William and Anne, animated the debates, and dictated the votes of the British parliament. No peace was in those days thought safe for this country while the crown of Spain continued on the head of a Bourbon. But were not the apprehensions of those days greatly overstated? Has the power of Spain swallowed up the power of maritime England? Or does England still remain, after the lapse of more than a century, during which the crown of Spain has been worn by a Bourbon,—niched in a nook of that same Spain—Gibraltar;

an occupation which was contemporaneous with the apprehensions that I have described, and which has happily survived them?

Again, Sir, is the Spain of the present day the Spain of which the statesmen of the times of William and Anne were so much afraid? Is it indeed the nation whose puissance was expected to shake England from her sphere? No, Sir, it was quite another Spain. It was the Spain, within the limits of whose empire the sun never set—it was Spain "with the Indies" that excited the jealousies and alarmed the imaginations of our ancestors.

But then, Sir, the balance of power! The entry of the French army into Spain disturbed that balance, and we ought to have gone to war to restore it! I have already said, that when the French army entered Spain, we might, if we chose, have resisted or resented that measure by war. But were there no other means than war for restoring the balance of power? Is the balance of power a fixed and unalterable standard? Or is it not a standard perpetually varying, as civilisation advances, and as new nations spring up, and take their place among established political communities? The balance of power a century and a half ago was to be adjusted between France and Spain, the Netherlands, Austria, and England. Some years afterwards, Russia assumed her high station in European politics. Some years after that again, Prussia became not only a substantive, but a preponderating monarchy.

Thus while the balance of power continued in principle the same, the means of adjusting it became more varied and enlarged. They became enlarged, in proportion to the increased number of considerable states: in proportion, I may say, to the number of weights which might be shifted into the one or the other scale. To look to the policy of Europe in the times of William and Anne, for the purpose of regulating the balance of power in Europe at the present day, is to disregard the progress of events, and to confuse dates and facts which throw a reciprocal light upon each other.

It would be disingenuous, indeed, not to admit that the entry of the French army into Spain was, in a certain sense, a disparagement—an affront to the pride—a blow to the feelings of England. And it can hardly be supposed that the government did not sympathise on that occasion with the feelings of the people. But I deny that, questionable or censurable as the act might be, it was one which necessarily called for our direct and hostile opposition. Was nothing then to be done? Was there no other mode of resistance, than by a direct attack upon France, or by a war to be undertaken on the soil of Spain? What, if the possession of Spain might be rendered harmless in rival hands—harmless as regards us, and valueless to the possessors? Might not compensation for disparagement be obtained, and the policy of our ancestors vindicated by means better adapted to the present time? If France occupied Spain, was it necessary, in order to avoid

the consequences of that occupation, that we should blockade Cadiz? No. I looked another way. I sought materials of compensation in another hemisphere. Contemplating Spain, such as our ancestors had known her, I resolved that if France had Spain, it should not be Spain "with the Indies." I called the New World into existence, to redress the balance of the Old.

It is thus, Sir, that I answer the accusation brought against his Majesty's government, of having allowed the French army to usurp and to retain the occupation of Spain. That occupation, I am quite confident, is an unpaid and unredeemed burden to France. It is a burden of which, I verily believe, France would be glad to rid herself. But they know little of the feelings of the French government, and of the spirit of the French nation, who do not know, that, worthless or burdensome as that occupation may be, the way to rivet her in it would be, by angry or intemperate representations, to make the continuance of that occupation a point of honour.

I believe, Sir, there is no other subject on which I need enter into defence or explanation. The support which the Address has received, from all parties in the House, has been such as would make it both unseemly and ungrateful in me to trespass unnecessarily upon their patience. In conclusion, Sir, I shall only once more declare, that the object of the Address which I propose to you is not war:—its object is to take the last chance of peace. If you do

not go forth, on this occasion, to the aid of Portugal, Portugal will be trampled down, to your irretrievable disgrace: and then will come war in the train of national degradation. If, under circumstances like these, you wait till Spain has matured her secret machinations into open hostility, you will in a little while have the sort of war required by the pacificators. And who shall say where that war will end?

SPEECH

OF

HIS GRACE THE DUKE OF WELLINGTON,

ON MOVING

THE SECOND READING OF A BILL FOR THE RELIEF OF THE ROMAN CATHOLICS.

HOUSE OF LORDS—APRIL 2, 1829.

MY LORDS,—It is now my duty to move that your lordships read this Bill a second time, and to explain to your lordships the grounds on which I recommend this measure to your consideration. I may be under the necessity of requesting a larger portion of your time and attention, upon this occasion, than I have hitherto been in the habit of occupying; but I assure you, my lords, that it is not my intention to take up an instant of your time with respect to myself, or my own conduct in this transaction, any farther than to express my regret that I should differ in opinion on this subject from so many of those for whom I entertain the highest respect and regard. However, my lords, I must say that I have considered the part which I have taken upon this subject as the performance of a public duty absolutely incumbent upon me; and that no private regard, no respect for the opinion of any

noble lord, would have induced me to depart from the course which I have considered it my duty to adopt. I must say likewise this, that, comparing my own opinion with that of others upon this subject, I have, during the period I have been in office, had opportunities of forming a judgment upon this subject which others have not had; and they will admit that I should not have given the opinion I have given, if I was not intimately and firmly persuaded that that opinion was a just one.

My lords, the point which I shall first bring under your lordships' consideration is the state of Ireland. I know that by some it has been considered that the state of Ireland has nothing to do with this question —that it is a subject which ought to be left entirely out of our consideration. My lords, they tell us that Ireland has been disturbed for the last thirty years—that to such disturbance we have been accustomed, and that it does not at all alter the circumstances of the case, as they have hitherto appeared. My lords, it is perfectly true that Ireland has been disturbed during the long period I have stated; but within the last year or two there have been circumstances of particular aggravation. Political circumstances have in a considerable degree occasioned that aggravation; but besides this, my lords, I must say, although I have no positive legal proof of the fact, that I have every reason to believe that there has been a considerable organization of the people for the purposes of mischief. My lords, this organization is, it appears to me, to be proved

not only by the declarations of those who formed and who arranged it, but likewise by the effects which it has produced in the election of church-wardens throughout the country; in the circumstances attending the election for the county of Clare; in the circumstances that preceded and followed that election; in the proceedings of a gentleman who went at the head of a body of men to the north of Ireland; in the simultaneous proceedings of various bodies of men in the south of Ireland, in Thurles, Templemore, Killenaule, Cahir, Clonmel, and other places; in the proceedings of another gentleman in the King's county; and in the recal of the former gentleman from the north of Ireland by the Roman Catholic Association. In all these circumstances it is quite obvious to me that there was an organization and direction of some superior authority. This organization has certainly produced a state of society in Ireland which we have not heretofore witnessed, and an aggravation of all the evils which before afflicted that unfortunate country.

My lords, late in the year a considerable town was attacked in the middle of the night by a body of people who came from the neighbouring mountains, the town of Augher. They attacked it with arms, and were driven from it with arms by the inhabitants of the town. This is a state of things which I feel your lordships will admit ought not to exist in a civilised country. Later in the year still, a similar event occurred in Charleville; and in the course of last autumn the Roman Catholic Associa-

tion deliberated upon the propriety of adopting, and the means of adopting, the measure of ceasing all dealings between Roman Catholics and Protestants. Is it possible to believe that supposing these dealings had ceased, that supposing this measure had been carried into execution, as I firmly believe it was in the power of those who deliberated upon it to carry it into execution; is it possible to believe that those who could cease these dealings would not likewise have ceased to carry into execution the contracts into which they had entered? Will any man say that people in this situation are not verging towards that state in which it would be impossible to expect from them that they would be able to perform the duties of jurymen, or to administer justice between man and man for the protection of the lives and properties of his Majesty's subjects? My lords, this is the state of society to which I wished to draw your attention, and for which it is necessary that parliament should provide a remedy. But before I proceed to consider what those remedies ought to be, I wish just to show you what the effect of this state of society has been upon the King's prerogative.

My lords, his Majesty could not create a peer, and the reason he could not create a peer was this. His Majesty's servants could not venture to recommend to him to incur the risks of an election, and those which might have attended any accident at the election, which might have occasioned the shedding of blood. Such a disaster must have

been productive of an immediate civil war in the country; and not only was that the case, my lords, but I confess that I had the strongest objection to give another triumph to the Roman Catholic Association. Then we are asked, "Why do you not carry the law into execution?" My lords, I have upon former occasions stated to your lordships how the law stood in respect to the association; and your lordships will observe that in all I have stated hitherto there was no resistance to the law. The magistrates were not called upon to act. There was no resistance to the King's troops: indeed, except in the case of the procession to the north of Ireland, they were never called into duty. There was no instance, therefore, in which the law could be carried into execution. When we hear, therefore, noble lords reproaching the government for not carrying into execution the law in Ireland, as it was carried into execution in England, the observation shows that they do not understand the state of things in Ireland. The truth of the matter is, that in England, when the law was carried into execution in the year 1819, a large body of persons assembled for an illegal purpose: they resisted the order of the magistrates to disperse, and, having resisted that order, the magistrates directed the troops to disperse them. But in the case of Ireland, there were no circumstances of the same kind: no order was given to disperse, because no magistrates were present; and if they had been present, there were no troops to disperse them. The truth is, the state of society

was such as rendered these events probable at every hour; and it was impossible the magistrates could be at every spot, and at all times, to put an end to these outrages, which really are a disgrace to the country in which they take place. My lords, neither the law, nor the means in the possession of government, enabled government to put an end to these things. It was necessary, therefore, to come to parliament. Now, let us see what chance there was of providing a remedy to this state of things by coming to parliament.

My lords, we all know perfectly well that the opinion of the majority in another place is, that the remedy for this state of things in Ireland is a repeal of the disabilities affecting his Majesty's Roman Catholic subjects. We might have gone and asked parliament to put down the Roman Catholic Association; but what chance had we of prevailing upon parliament to pass such a Bill without being prepared to come forward and state that we were ready to consider the whole condition of Ireland with a view to apply a remedy to that which parliament had stated to be the cause of the disease? Suppose that parliament had given us a Bill to put down the Roman Catholic Association, would such a law as that which passed lately be a remedy for the state of things I have already described to your lordships as existing in Ireland? Would it do any one thing towards putting an end to the organization which, I have stated to your lordships, exists—towards putting an end to the mischiefs which are

the consequences of that organization—towards giving you the means of getting the better of the state of things existing in Ireland, without some further measure to be adopted? But, my lords, it is said, "If that will not do, let us proceed to blows!" What is meant by "proceeding to blows" is civil war! Now I believe that every government must be prepared to carry into execution the laws of the country by the force placed at its disposal; not by the military force, unless it should be absolutely necessary, but by the military force, in case that should be necessary; and, above all things, to endeavour to overcome resistance to the law, in case the disaffected or the ill-disposed are inclined to resist the authority or sentence of the law; but in this case, as I have already stated to your lordships, there was no resistance of the law: nay, I will go further, and will say that I am positively certain that this state of things, existing in Ireland for the last year and a half, bordering upon civil war (being attended by nearly all the evils of civil war), might have continued a considerable time longer, to the great injury and disgrace of the country, and nevertheless those who managed this state of things—those who were at its head, would have taken care to prevent any resistance to the law, which must have ended, they knew as well as I do, in the only way in which a struggle against the King's government could end. They knew perfectly well they would have been the first victims of that resistance; but knowing that, and knowing

as I do that they are sensible, able men, and perfectly aware of the materials upon which they have to work, I have not the smallest doubt that the state of things which I have stated to your lordships would have continued, and that you would never have had an opportunity of putting it down in the manner some noble lords imagine. But, my lords, even if I had been certain of such means of putting it down, I should have considered it my duty to avoid those means. I am one of those who have probably passed a longer period of my life engaged in war than most men, and principally in civil war; and I must say this, that if I could avoid, by any sacrifice whatever, even one month of civil war in the country to which I was attached, I would sacrifice my life in order to do it. I say that there is nothing which destroys property, cuts up prosperity by the roots, and demoralises character, to the degree that civil war does. In such a crisis the hand of every man is raised against his neighbour, against his brother, and against his father; servant betrays master, and the whole scene ends in confusion and devastation. Yet, my lords, this is the resource to which we must have looked; these are the means which we must have applied, in order to have put an end to this state of things, if we had not made the option of bringing forward the measures for which I say I am responsible. But let us look a little farther. If civil war is so bad when it is occasioned by resistance to the government—if it is so bad in the case I have stated, and so much to

be avoided, how much more is it to be avoided when we are to arm the people in order that we may conquer one part of them by exciting the other part against them?

My lords, I am sure there is not a man who hears me whose blood would not shudder at such a proposition if it were made to him; and yet that is the resource to which we should be pushed at last by continuing the course we have been adopting for the last few years. I entreat your lordships not to look at it in this point of view only, but let us revert a little to what passed on a former similar occasion. My lords, I am old enough to remember the rebellion in 1798. I was not employed in Ireland at the time. I was employed in another part of his Majesty's dominions; but, my lords, if I am not mistaken, the parliament of Ireland at that time walked up to my Lord Lieutenant with an unanimous Address, beseeching his Excellency to take every means to put down that unnatural rebellion, and promising their full support in order to carry those measures into execution. The Lord Lieutenant did take measures, and did succeed in putting down that rebellion. Well, my lords, what happened in the very next session? The government proposed to put an end to the parliament, and to form a Legislative Union between the two kingdoms, for the purpose, principally, of proposing this very measure; and, in point of fact, the very first measure that was proposed after this Legislative Union, after those successful endeavours to put down this rebel-

lion, was the very measure with which I am now about to trouble your lordships. Is it possible noble lords can believe that, supposing there was such a contest as that which I have anticipated—is it possible noble lords can believe that such a contest could be carried on without the consent of the other House of Parliament? I am certain, my lords, that, when you look at the division of opinion which prevails in both Houses of Parliament; when you look at the division of opinion which prevails in every family of this kingdom and of Ireland—in every family, I say, from the most eminent in station down to the lowest in this country; when you look at the division of opinion that prevails among the Protestants of Ireland on this subject, I am convinced you will see that there would be a vast difference in a contest carried on now and that which was carried on on former occasions.

My lords, I beg you will recollect that, upon a recent occasion, there was a Protestant declaration of the sentiments of Ireland. As I said before, the parliament of Ireland, in the year 1798, with the exception of one or two gentlemen, were unanimous; and on a recent occasion there were seven marquises, twenty-seven earls, a vast number of peers of other ranks, and not less than two thousand Protestant gentlemen of property in the country, who signed the declaration, stating the absolute necessity of making these concessions. Under these circumstances it is that this contest would have been carried on—circumstances totally different from those

which existed at the period I before alluded to. But is it possible to believe that parliament would allow such a contest to go on? Is it possible to believe that parliament, having this state of things before it—that this House, seeing what the opinion of the other House of Parliament is—seeing what the opinion of the large number of Protestants in Ireland is—seeing what the opinion of nearly every statesman for the last forty years has been on this question, would continue to oppose itself to measures brought forward for its settlement? It appears to me absolutely impossible that we could have gone on longer without increasing difficulties being brought on the country. But it is very desirable that we should look a little to what benefit is to be derived to any one class in the state by continuing the disabilities, and adopting those coercive measures which will have all the evils I have stated. We are told that the benefit will be to preserve the principles of the constitution of 1688, that the Acts of 1688 permanently excluded Roman Catholics from Parliament, and that, they being permanently excluded from parliament, it is necessary to incur all the existing evils in order to maintain that permanent exclusion. Now I wish very much that noble lords would take upon themselves the trouble I have taken to see how the matter stands as to the permanent exclusion of Roman Catholics from parliament.

My lords, in the Bill of Rights there are some things permanently enacted which I sincerely hope

will be permanent: these are, the liberties of the people, the security for the Protestantism of the person on the throne of these kingdoms, and that he shall not be married to a Papist. Then there is an oath of allegiance and supremacy to be taken by all those of whom that oath of allegiance is required, which is also said to be permanent; but it contains no declaration against transubstantiation. There is also an oath of allegiance different from that which is to be taken by a member of parliament. I beg your lordships will observe that, although this oath of allegiance was declared permanent, it was altered in the last year of King William. This shows what that permanent Act was. Then with respect to the oaths to be taken by members of parliament, I beg your lordships to observe that these oaths, the declaration against transubstantiation and the sacrifice of the mass, are not originally in the Act of William III.: they are in the Act of 30th Charles II. During the reign of Charles II. there were certain oaths imposed, first on dissenters from the Church of England, by the 12th and 13th Charles II., and to exclude Roman Catholics, by the 25th Charles II. and 30th Charles II. At the period of the Revolution, when King William came, he thought proper to extend the basis of his government, and he repealed the oaths affecting the dissenters from the Church of England, imposed by the 13th and 14th Charles II., and likewise the affirmative part of the oath of supremacy, which dissenters from the Church of England could not take. That is the history of

the alteration of these oaths by William III. from the time of Charles II. But, my lords, the remainder of the oath could be taken by dissenters, but could not be taken by Roman Catholics. The danger, with respect to Roman Catholics had originated in the time of Charles II., and still existed in the time of William III.; but the oath was altered, because one of the great principles of the Revolution was to limit the exclusion from the benefits of the constitution so far as it was possible. Therefore, we have this as one of the principles of the Revolution, as well as the principles I before stated derived from the Bill of Rights. The noble lords state that what they call the principles of 1688—that is to say, these oaths excluding Roman Catholics—are equally permanent with the Bill of Rights, by which the Protestantism of the Crown is secured. If they will do me the favour to look at the words of the Act, they will see that the difference is just the difference between that which is permanent and that which is not permanent. The Act says that the Protestantism of the Crown shall last for ever—that these liberties are secured for ever; but as for these oaths, they are enacted in exclusive words, and there is not one word about how long they shall last. Well then, my lords, what follows? The next Act we have is the Act of Union with Scotland; and what does that Act say? That the oaths to be taken by the members of parliament, as laid down by the 1st of William and Mary, shall continue and be taken till parlia-

ment shall otherwise direct. This is what is called a permanent Act of Parliament, a provision to exclude Catholics for all future periods from seats in parliament! My lords, I beg to observe that, if the Act which excludes Roman Catholics from seats in parliament is permanent, there is another clause (I believe the 10th of 1 William III. cap. 8) which requires officers of the army and navy to take these very oaths previous to their acceptance of their commissions. Now, if the Act made in the first year of William and Mary, which excludes Roman Catholics from parliament is permanent, I should like to ask noble lords why the clause in that Act is not equally permanent? I suppose that the noble and learned lord (*Eldon*) will answer my question by saying that one Act was permanent, and ought to be permanently maintained, but that the other Act was not permanent, and the parliament did right in repealing it in 1817. But the truth of the matter is, that neither Act was intended to be permanent; and the parliament of Queen Anne recognised by the Act of Union that the first Act, relating to seats in parliament, was not permanent; and the noble and learned lord did quite right when he consented to the Act of 1817, which put an end to the 10th clause of the 1st of William III. cap. 8. Then, my lords, if this principle of exclusion—if this principle of the constitution of 1688, as it is called, be not permanent, if it be recognised as not permanent, not only by the Act of Union with Scotland (in which it was said that the exclusion oath should

continue till parliament otherwise provided), but also by the later Act of Union with Ireland, I would ask your lordships whether you are not at liberty now to consider the expediency of doing away with it altogether, in order to relieve the country from the inconveniences to which I have already adverted?

I would ask your lordships, whether you are not called upon to review the state of the representation of Ireland—whether you are not called upon to see, even supposing that the principle were a permanent one, if it be fit that parliament should remain as it has remained for some time, groaning under a Popish influence exercised by the priests over the elections in Ireland. I would ask your lordships, I repeat, whether it is not right to make an arrangement which has for its object not only the settlement of this question, but at the same time to relieve the country from the inconveniences which I have mentioned. I have already stated the manner in which the organization I have alluded to works upon all the great interests of the country; but I wish your lordships particularly to attend to the manner in which it works upon the church itself. That part of the Church of England which exists in Ireland is in a very peculiar situation: it is the church of the minority of the people. At the same time I believe that a more exemplary, a more pious, or a more learned body of men than the ministers of that church do not exist. The ministers of that church certainly enjoy and deserve the affections of those

whom they are sent to instruct, in the same degree as their brethren in England enjoy the affections of the people of this country; and I have no doubt that they would shed the last drop of their blood in defence of the doctrines and discipline of their church. But violence, I apprehend, is likely to affect the interests of that church; and I would put it to the House, whether that church can be better protected from violence by a government united in itself, united with parliament, and united in sentiment with the great body of the people, or by a government disunited in opinion, disunited from parliament, and by the two Houses of Parliament disunited. I am certain that no man can look to the situation of Ireland without seeing that the interest of the church, as well as the interest of every class of persons under government, is involved in such a settlement of this question as will bring with it strength to the government, and strength to every department of the state.

Having now gone through the general principles which induced me to consider it desirable to bring forward this measure, I will trouble your lordships for a short time longer, whilst I explain generally the provisions of the Bill before the House. The Bill is, in itself, very simple. It concedes to Roman Catholics the power of holding every office in the state, excepting a few connected with the administration of the affairs of the church; and it also concedes to them the power of becoming members of parliament. I believe it goes farther, with re-

spect to the concession of offices, than any former measure which has been introduced into the other House of Parliament. I confess that the reasons which induced me to consider it my duty to make such large concessions now, arose out of the effects which I observed following the Acts passed in the years 1782 and 1793. I have seen that any restriction upon concession has only had the effect of increasing the demands of the Roman Catholics, and at the same time giving them fresh power to enforce those demands. I have, therefore, considered it my duty, in making this act of concession, to make it as large as any reasonable man can expect it to be, seeing clearly, that any thing which might remain behind would only give ground for fresh demands, and being convinced that the settlement of this question tends to the security of the state, and to the peace and prosperity of the country.

I have already stated to your lordships my opinion respecting the expediency of granting seats in parliament to Roman Catholics; and I do not conceive that the concession of seats in parliament can in any manner affect any question relative to the Church of England. In the first place, I beg your lordships to recollect that at the time those laws to which I have before alluded—the one passed in the 30th of Charles II., and the other at the period of the Revolution, were enacted—it was not the church that was in danger, it was the state. It was the state that was in danger; and from what? Not because the safety of the church was threatened. No!

but because the Sovereign on the throne was suspected of Popery, and because the successor to the throne was actually a Papist. Those laws were adopted because of the existence of a danger which threatened the state, and not of one which threatened the church. On the contrary, at that period danger to the church was apprehended, not from Roman Catholics, but from dissenters from the Church of England. I would ask of your lordships, all of whom have read the history of those times, whether any danger to the church was apprehended from the Roman Catholics? No! Danger to the church was apprehended from the dissenters, who had become powerful by the privileges granted to them under the Act of Parliament passed at the period of the Revolution. I think, therefore, that it is not necessary for me to enter into any justification of myself for having adopted this measure, on account of any danger which might be apprehended from it to the church. Roman Catholics will come into parliament under this Bill, as they went into parliament previous to the Act of the 30th of Charles II. They sat in parliament up to that period, and were not obliged to take the Oath of Supremacy. By this Bill they will be required to take the Oath of Allegiance, in which a great part of the Oath of Supremacy is included, namely, that part which refers to the jurisdiction of foreign potentates; and I must say, that the church, if in danger, is better secured by this Bill than it was previous to the 30th of Charles II., though the

object for which that Act was recognised at the period of the Revolution, namely, to keep out the house of Stuart from the throne, has long since ceased to exist, by the extinction of that family. It is the opinion of nearly every considerable man in the country (of nearly all those who are competent to form a judgment on the question), that the time is now arrived for repealing these laws. Circumstances have been gradually tending towards their repeal since the extinction of the house of Stuart; and at last the period has come when it is quite clear that the repeal can be no longer delayed with safety to the state.

But, my lords, I know that there are many in this House, and many in this country, who think, and I am free to admit that I was formerly of the same opinion myself, that the state ought to have some security for the church against the proceedings of the Roman Catholic clergy, besides the oaths imposed by the Act of Parliament to which I have already alluded. Now I confess that on examining into the question, and upon looking more minutely than I had before leisure to do, at the various Acts of Parliament by which the Church of England is constituted, and which form the foundation on which it rests, I can think of no sort of arrangement capable of being carried into execution in this country which can add to the security of the Established Church.

I beg your lordships to attend for a moment whilst I explain the situation of the kingdom of

Prussia with respect to the Roman Catholic religion. The King of Prussia exercises the power which he does over the Roman Catholic Church in his various dominions, under different Concordats made with the Pope: in Silesia, under a Concordat made by the Sovereigns of the house of Austria with the Pope: in the territories on the left bank of the Rhine, under a Concordat made by Buonaparte with the Pope: and in the territories on the right bank of the Rhine, under a Concordat made by the former Sovereigns of those countries with the Pope. Each of these Concordats supposes that the Pope possesses some power in the country, which he is enabled to concede to the Sovereign with whom the Concordat is made. That is a point which we can never yield to any Sovereign whatever. There is no Sovereign, be he whom he may, who has any power in this country to confer upon his Majesty. We must keep our Sovereign clear from such transactions. We can, therefore, have no security of that description, not even the veto on the appointment of a Roman Catholic bishop, without detracting in some degree, from the authority and dignity of the Sovereign, and without admitting that the Pope has something to concede to his Majesty.

Now let us suppose another security. Suppose it were arranged that his Majesty should have the nomination of the Catholic bishops. If he nominated them, he must also give them jurisdiction, he must give them dioceses. I should like to know in what part of Ireland, or England, the King could

fix upon a spot where he could, consistently with the oath he has taken, nominate a Catholic bishop, or give him a diocese? The King is sworn to maintain the rights and privileges of the bishops and of the Clergy of this realm, and of the churches committed to their charge. Now, consistently with that oath, how could the King appoint a bishop of the Roman Catholic religion; and would not the Established Church lose more than it gained by the assumption of such a power on the part of his Majesty.

Then, my lords, there is another security, which some noble lords think it desirable to have, namely, the obtaining, by government, of copies of all correspondence between the Catholic clergy and the court of Rome; and the supervising of that correspondence, in order to prevent any danger resulting to the Established Church. Upon that point, I must say that I feel the greatest objection to involve the government of this country in such matters. That correspondence, we are told, turns on spiritual affairs. But I will suppose, for the sake of argument, that it turns on questions of excommunication. Is it, then, to be suffered that the Pope and his Majesty, or his Majesty's Secretary of State acting for him, should make law for this country? for that would be the result of communications between the Catholic clergy of this realm and the Pope being submitted to his Majesty's inspection, or to the inspection of his Majesty's Secretary of State. Such a security amounts to a breach of the consti-

tution, and it is quite impossible that it could be made available. It would do more injury to the constitution and to the church than any thing which could be done by the Roman Catholics themselves, when placed by this Bill in the same situation as dissenters.

With respect to communications with the court of Rome, that has already been provided against and prevented by laws still in existence. Your lordships are aware that those laws, like many others regarding the Roman Catholic religion, are not strictly enforced; but still, if indulgence should be abused, if the conduct of those persons whose actions those laws are intended to regulate should be such as to render necessary the interference of government, the very measure which is now before your lordships will enable government to interfere in such a manner as not only to answer the object of its interference, but also to give satisfaction to this House and to the country.

Another part of the Bill has for its object the putting an end to the order of the Jesuits and other monastic orders in this country. If your lordships will look at the Act passed in the year 1791, you will probably see that at that time, as well as in this, it was possible for one person to make laws through which another might drive a coach and four. My noble and learned friend (*Lord Eldon*) will excuse me, I hope, for saying that, notwithstanding all the pains which he took to draw up the Act of 1791, yet the fact is, of which there cannot be the

smallest doubt, that large religious establishments have been regularly formed, not only in Ireland, but also in this country. The measure which I now propose for your lordships' adoption will prevent the increase of such establishments, and, without oppression to any individuals, without injury to any body of men, will gradually put an end to those which have already been formed. There is no man more convinced than I am of the absolute necessity of carrying into execution that part of the present measure which has for its object the extinction of monastic orders in this country. I entertain no doubt whatever, that, if that part of the measure be not carried into execution, we shall very soon see this country and Ireland inundated by Jesuits and regular monastic clergy, sent out from other parts of Europe, with means to establish themselves within his Majesty's kingdom. When I recommend this measure to your lordships' attention, you have, undoubtedly, a right to ask what are the reasons I have for believing that it will effect the purpose for which it is intended. My lords, I believe that it will answer its object, not only from the example of all Europe, but from the example of what occurred in a part of this kingdom on a former occasion. If I am not mistaken, at the time that the Episcopalians laboured under civil disabilities in Scotland, the state of society there was as bad as the state of Ireland is at the present moment. Your lordships know that abroad, in other parts of Europe, in consequence of the diffusion of civil privileges to all

classes, the difference between Protestant and Catholic is never heard of. I am certain that I can prove to your lordships what I state, when I say that the state of society in Scotland previous to the concession of civil privileges to the Episcopalians, was as bad as the present state of society in Ireland.

I hope your lordships will give me leave to read a petition which has been sent to me this day, and which was presented to the Scottish parliament at the period when those concessions were about to be made, and your lordships will perceive that the petition is almost a model of many petitions which have been read in this House respecting the question under discussion. I am therefore in expectation that, should the present Bill pass this House, there will be no longer occasion for those complaints which have been expressed to your lordships, and that the same happy and peaceful state of things which has for the last century prevailed in Scotland will also prevail in Ireland. I will, with your lordships' permission, read the petition I have alluded to, and I think that, after you have heard it, you will be of the same opinion as I am with respect to the similarity it bears to many petitions which have been presented to your lordships on the Catholic question. The petition states, that "to grant toleration to that party (the Episcopalians), in the present circumstances of the church, must unavoidably shake the foundation of our present happy constitution; overthrow those laws on which it is settled; grievously disturb that peace and tranquillity which the

nation has enjoyed since the late Revolution; disquiet the minds of his Majesty's best subjects; increase animosity; confirm discord and tumult; weaken and enervate the discipline of the church; open the door to unheard-of vices, and to Popery as well as to other errors; propagate and cherish disaffection to the government; and bring the nation under the danger of falling back into those mischiefs and calamities from which it had lately escaped by the divine blessing. We therefore humbly hope that no concession will be granted to that party, which would be to establish iniquity by law, and bring upon the country manifold calamities and disasters, from which we pray that government may preserve the members of the high court of parliament."

I sincerely hope that, as the prophecy contained in this petition has not been fulfilled, a similar prophecy respecting the passing of the present Bill, contained in many petitions presented to your lordships will also not be fulfilled.

But, my lords, I have other grounds besides those which I have already stated for supposing that the proposed measure will answer the object in view. There is no doubt that, after this measure shall have been adopted, the Roman Catholics can have no separate interest, as a separate sect; for I am sure that neither this House nor the other House of Parliament will be disposed to look upon the Roman Catholics, nor upon any thing that respects Ireland, with any other eye than that with which they regard whatever affects the interest of Scotland or

of this country. For my own part I will state that, if I am disappointed in the hopes which I entertain that tranquillity will result from this measure, I shall have no scruple in coming down and laying before parliament the state of the case, and calling on parliament to enable government to meet whatever danger might have arisen. I shall act with the same confidence that parliament will support me then, as I have acted in the present case.

Having now explained to your lordships the grounds on which this measure has been brought forward—the state of Ireland, the state of public opinion on the question, the divisions of the government and of the parliament, the pretences (for so I must call them) which have been urged against the claims of the Catholics, founded on Acts passed previous to the Revolution—having, my lords, likewise stated to you the provisions of the measure which I propose as a remedy for these inconveniences, I will trouble your lordships no further, except by beseeching you to consider the subject with the coolness, moderation, and temper recommended in his Majesty's speech from the throne.

SPEECH

OF

THE RIGHT HON. EARL GREY,

ON MOVING

THE SECOND READING OF THE REFORM BILL FOR ENGLAND AND WALES.

HOUSE OF LORDS—APRIL 9, 1832.

MY LORDS,—I have now to propose to you the second reading of the Bill which has been sent up to your lordships from the other House of Parliament, the object of which is, to effect a reform in that House, and to amend the representation of the people in England and Wales. To a Bill relating to a matter of so much importance, so interesting in its nature, brought up from that House which is most affected by the amelioration which it aims at accomplishing—passed through that House with a great and decisive majority—supported out of that House by an equally great and decisive majority of the people at large—it will not be necessary for me to say that your lordships are bound to pay the most earnest and serious attention. The subject to which the Bill relates, is one of paramount importance, for it goes to effect a change in the constitution of parliament, by altering the mode in which

the representatives of the people are returned. The Bill, too, comes before your lordships, as I have already said, supported by a large majority of the House of Commons, and by an equally large and decisive majority of the people out of doors. I feel that in proposing to your lordships the consideration of this measure, I have taken upon myself the discharge of a duty to which I have brought powers very inadequate; but I have, on the present occasion, a support and consolation within myself which I trust will enable me to go through that duty, and that is, the consciousness that I am promoting the welfare and advancing the real interests of my country. I think that in the present condition of public feeling, it will not be required of me to prove that this Bill is called for by the voice of the public, because at all their public meetings the people have supported it. I think that it will not be necessary for me to show that the principle of this Bill is a principle entitled to the adoption of your lordships, because, even by those who are the most adverse to the details of the present measure of reform, the necessity of some reform has been at last admitted. This very night two petitions have been presented to your lordships, one purporting to be a petition against this measure, and the other thanking your lordships for having rejected the last Bill, but both stating the opinion of the petitioners to be that some reform is necessary; and in compliance with that opinion a noble duke (*Buckingham*) has this evening given notice to your lordships of his in-

tention to propose a Bill to your consideration, which will be founded on the three great principles of the present Bill, which have been so often stigmatised as the principles, not of reform, but of revolution—I mean the three great principles of disfranchisement, enfranchisement, and extension of the elective franchise to those who hitherto had not enjoyed it.

I am, as I think every member of this House ought to be, averse to entering into premature discussions; I shall, therefore, avoid as much as possible bringing before your lordships any subject not regularly under your consideration. But after the curious explanation which the noble duke gave of his embryo Bill, I must say that I do not think that my description of it was at all misapplied. If I recollect rightly the statement of the noble duke, he meant to give the right of returning members to parliament to large, and populous, and wealthy towns:—that is the principle of enfranchisement. I also understood him to say that, to make room for that addition to the House of Commons, without altering the number of its members, he intended to consolidate and unite the boroughs which now separately and individually possess the right of returning representatives, into electoral districts, returning a less number of representatives. Now if the noble duke took from a number of boroughs, of which each possessed the right of returning two representatives, any portion of that right, as he would do by compelling a number of them to return two representatives only—and those, too, by a sort of sub-

scription—that, I will maintain, is acting on the principle of disfranchisement.

As to the third principle,—the principle of the extension of the franchise,—I believe that the noble duke does not dispute it; for the noble duke has stated in express terms that he intended to extend the right of voting. The noble duke, therefore, means to present your lordships with a Bill founded —I will say it again, and without adverting further to the unsatisfactory explanation which the noble duke has given of the terms in which he introduced his notice—on the three great principles of disfranchisement, enfranchisement, and extension of the suffrage—principles which your lordships have often been told are the principles not of reform but of revolution. Under such circumstances, I maintain that I am clearly relieved from the necessity of saying any thing to recommend to your lordships the adoption of the leading principles of the present Bill. I have told you what those principles are; and having done so, I may call upon your lordships to give your sanction to the second reading of a measure founded upon a basis which is acknowledged to be just, even by those who opposed the measure itself, inasmuch as they would have an opportunity in the committee of proposing such alterations in its details as might appear necessary and expedient. I am relieved, I am happy to say, from the necessity of taking up more of your lordships' time on this subject, by the admissions which have been recently made by those who are accounted

the most strenuous adversaries of the Bill. Its principles are generally—indeed I may almost say universally—admitted. I do not know whether the noble and gallant duke (*Wellington*) is still to be considered as the single exception to the universality of that admission. I do not know whether the noble and gallant duke has not come round to the same points which all other persons have admitted. The impression on my mind certainly is, that the noble and gallant duke, on the last occasion on which he addressed the House on this subject, avowed that he was convinced that even he must submit to some degree of reform. I repeat that I do not know whether such was or was not the intention of the noble duke; but if the noble duke be inveterately bent on resisting all reform,—if the noble duke is determined to remain an exception to the prevalent feeling of the day,—I am perfectly sure that the noble duke will find few to support him in his efforts to place a ban and interdict on the wishes of the people of England who call with almost unanimous voice for the immediate removal of every obstacle which interferes with the full enjoyment of their political rights.

Not merely the necessity, but also the expediency of reform has been conceded by those, who assert that the necessity for reform arises not only from the acknowledged abuses of the existing system of representation, but also from the declared sense and expressed energy of the public on the subject; because, if I understand aright the case of those noble

lords, who now admit that some, nay, that a large measure of reform is necessary, their opinion is founded on the continued force of public feeling in its favour; and to the voice of the people having been so long, so loudly, and so perseveringly expressed, as to make them feel that it would no longer be wise or prudent to offer an uncompromising resistance to it. I am happy, therefore, to find myself relieved from the necessity—if, in truth, that necessity had not already been removed—by repeated discussions on the principles of the Bill, and in which every thing has been said both upon the general principles of the measure, and upon the views and motives of those by whom it has been introduced. I am happily relieved, I say, from the necessity of going further into arguments on this part of the subject which, indeed, has been already so fully canvassed, that it would be needless, as it would be impossible, for me to add any thing to what I have already myself said, and to that which has been more ably and powerfully urged by others. Assuming, then, that the principle of the Bill has been, in a great degree, conceded, and merely referring to what has been previously stated regarding its provisions, and the motives of those by whom it has been introduced, I shall proceed to examine and state, as briefly as possible, the general details of the measure itself.

The Bill, then, to the second reading of which I desire the assent of your lordships, is a Bill founded on the same principles, and is, in its general

features, similar to the last. (*Hear, hear!*) I well understand the meaning of the acclamation which I have just heard, but I think I shall be able to convince your lordships that there is nothing in the circumstance of this Bill being founded on the same principles with the last, which ought to induce such of you as have voted against the former Bill, and are, nevertheless, prepared to assent, at present, to the principle of reform, to withhold your assent from the present Bill. I have heard nothing, as yet, but a very general description of the Bill of Reform which the noble duke opposite promised to introduce; but, judging from the expressions of the noble duke, I should say that it was founded on the same principles with those of the present Bill,—that is, on the disfranchisement of decayed and inconsiderable boroughs, on the enfranchisement of large, and populous, and opulent towns, and on the extension of the right of voting to those towns which have not hitherto enjoyed it.

These being the principles, not only of the noble duke's Bill, but also of the different Bills which have been introduced by his Majesty's government, I shall now proceed to notice the alterations which the present Bill makes in the provisions by which those principles are to be carried into effect—alterations which one of your lordships has described as neither small nor unimportant, and which I trust are of such a character as will recommend the Bill to your approbation and adoption. "But," said the noble and gallant duke opposite, "this Bill is not reform,

but revolution; its principles are enfranchisement, disfranchisement, and extension of the suffrage; therefore it is not reform, but revolution." By what process of reasoning the noble duke arrived at that conclusion, or what logical distinctions he drew between reform and revolution, I do not know; but this I do know, that there is nothing in the adoption of the principles just recounted, which could entitle any man to give to the Bill in which they are incorporated the character of a revolutionary measure. A reform in parliament supposes a great change in the constitution of parliament,—it supposes a great change in the mode in which the people and their interests are to be represented; but all change is not revolution, and least of all such a change as is proposed in the present Bill. It is to be effected, according to the acknowledged principles of the constitution, by an Act of Parliament, passed by the united will of the legislature, consisting of the King, Lords, and Commons. It may, therefore, be fairly considered as effected after sufficient and mature deliberation. It proceeds according to the known forms of the law, and is to be carried into effect by the three known authorities of the state—King, Lords, and Commons. I confess, therefore, that I am utterly at a loss to discover how such a measure can, with any show of justice or propriety, be designated as revolutionary. It infringes on none of the ordinary authorities of the land, it violates not one of the regular forms of the constitution, it invades none of

the privileges of this House, it interferes with not one of the prerogatives of the Crown—why then should it be stigmatised as revolutionary? The word "revolution" has been always used to signify a great change in the political constitution of the state,—a change, for example, in the succession to a monarchy or the institutions of a state, carried into effect by a force superior to the law. Neither in character, in terms, nor in principle, is this Bill revolutionary,—it is truly and substantially a reform, but it is nothing more. Will the noble duke permit me to ask him how he distinguishes reform from revolution? I am acquainted with no way of effecting a reform in parliament, unless by one of three modes,—and I may here observe, that every measure professing to effect a reform in parliament, must presuppose the existence of defects in the constitution of that parliament. The three modes to which I allude must either be by taking away the right of return from decayed and inconsiderable boroughs, which was the ancient practice of the constitution—and that was disfranchisement; or by giving the right of representation to large, populous, and opulent towns, which had risen into importance, but had not the right of returning members to parliament—and that, too, was the practice of the olden times, and that was enfranchisement: or by a great extension of the right of voting,—which was also done in the good old times, and which I again say was not revolutionary. In some one of these three ways reform must be effected; and, therefore,

all the plans of reform hitherto proposed by the great men who have preceded me, and also that plan of reform which I, too presumptuously, proposed to the House of Commons in 1793, all proceed upon one or all of these three principles united. I trust, therefore, that I stand, upon the present occasion, acquitted of the charge of having strayed beyond the ancient limits of the constitution, and of having proposed to the country a measure revolutionary in its character.

I must now revert once more to the great and general—I will not say acquiescence, but—affection of the people for this measure. I am not now speaking of the mob, nor of persons uninstructed and uninformed. Let not such noble lords as are hostile to reform suppose that such is a proper description of the supporters of reform. Reform is supported not merely by the multitude, but also by the great mass of the power, the opulence, the intelligence, the education, and all that is important in the community. Is it necessary, therefore, for me to argue that a measure so supported is not a revolutionary measure? I implore your lordships to consider again and again who the parties are who most strenuously advocate this measure. Are they not those able, and active, and industrious men who, by their enterprise and assiduity, have acquired large property, and who, therefore, have the deepest interest in its security and preservation? Can it be supposed that, in the nineteenth century, men of such talents and such energy would come

to the bar of your lordships' House, and would entreat you, even on their bended knees, to adopt, as a measure of salvation for their persons and their property, a measure which, in its principle, was ruinous to both, and which in its effects must be destructive to those institutions which they wish not to pull down, but only to repair? The supposition is too monstrous to be entertained seriously even for a moment. I shall, therefore, proceed with my task, repeating what I have already said several times to your lordships, that this Bill, like the last, is founded on the three great principles of disfranchisement, enfranchisement, and extension of the right of suffrage.

Having, on a former occasion, twice addressed your lordships at great length in explanation of the views which induced me to propose a measure based on those three great principles, I shall abstain from entering, on the present occasion, into any general argument in support of their propriety, as it would fatigue your lordships, without giving you any additional information. I shall, therefore, in a great measure, confine myself to a statement of the circumstances in which this Bill, with respect to its details and provisions, differs from the last.

And, first, with respect to the principle of disfranchisement. It is proposed by the present Bill, as it was by the last, to disfranchise a certain number of ancient boroughs, which have fallen into decay, and which are considered, and in my opinion justly, as an abuse in our system of parliamentary representation, and to enfranchise, in their stead,

large, populous, and wealthy towns. The number of boroughs which it is proposed to subtract from the present representation is fifty-six; and the manner in which they had been selected is as follows:—In the last Bill it was proposed that a certain line should be drawn by which all places where the population was under 2,000, in which a sufficient constituency could not be found or created to return an independent man to parliament, were to be disfranchised. The advantage of that plan was that it drew a line limited in its application, and still so general as to get rid of the imputation of partiality. In opposition to this, however, it was contended that the Bill proceeded upon a principle in no respect just—namely, that of population alone. I argued on a former occasion—and, if it were necessary, would contend again now—that that objection is not founded in reason; for the population was taken, not as a principle, but as a criterion by which the relative importance of places could be best ascertained. I do not know that any great inconvenience would have arisen from adhering to that criterion; but from an anxious desire on the part of government to consider calmly, and to examine dispassionately, all objections made to the Bill, and to adopt any improvements upon it which might be suggested not incompatible with its principles—a desire which animates the government not less now, than it did when framing this measure—we resorted to another criterion. We took, as a better criterion than that of population singly,—a

criterion derived from the number of houses, according to the census of 1831, and from the amount of the assessed taxes in the same year, combining the two together on the best principles of calculation, as explained and approved by the highest and most scientific authorities on such subjects. According to this criterion, then, we formed a list, in which the smaller boroughs were arranged according to their comparative importance. Having done this, the government adhered to the old number of boroughs to be entirely disfranchised. I am well aware, that by taking this mode of calculation, there is not that definite line of demarcation drawn which was in the former plan. I think, however, when your lordships go into committee, and minutely examine the list of boroughs, with their relative importance to each other, you will not, upon any one of the principles on which it is attempted to amend the representation of decayed boroughs, think of limiting the number of boroughs to be totally disfranchised to less, though you may extend it perhaps to more, than the number specified in the Bill. Government have not deemed it either necessary or expedient to extend the measure of disfranchisement to the extent to which some persons wished to carry it. I trust that, in stopping where we have done, we shall obtain the approbation of your lordships, and more particularly of such of this House as are opposed to us in many of the details of this measure. It is not necessary to say a word more on this part of the subject.

I have already called the attention of your lordships to the admitted fact, that in any measure of reform there must be some disfranchisement. The question is, whether the disfranchisement proposed in this Bill is too much or too little? I think, upon the most mature reflection, it will be acknowledged that it is not too much; but that is a question for the committee to decide, and, therefore, no uncertainty respecting the mode of its decision need prove an obstacle to the motion at present before your lordships—namely, that for a second reading of the Bill.

The next point of difference between the present and former measure is to be found in Schedule B. When this subject was last before your lordships, various objections were urged against this schedule. We have been anxious to reduce the amount of those objections: and, in order to accomplish that purpose, have, after taking the same criterion that was employed in the formation of Schedule A, determined, instead of forty-one boroughs for partial disfranchisement, to select only thirty, and to select those which stood upon the list for disfranchisement immediately above those boroughs which are contained in Schedule A. This arrangement took out of Schedule B eleven boroughs which stood in Schedule B of the old Bill, and restored to them their original right of returning two members of parliament. In this restored list of eleven were some county towns, to the disfranchisement of which great objections were stated. I know that I shall be told that this

arrangement of Schedule B leaves the Bill exposed to the complaint of being full of anomalies. I know it may be said, that the lowest borough in Schedule B is not more worthy to return a representative to parliament than the highest in Schedule A. I know it may be said that of those boroughs which were restored from Schedule B to their old station, some were inferior in wealth and importance to many of those towns to which the elective franchise is not at present extended. I admit the existence of all these anomalies in the Bill; but they are inseparable from the principles on which the government acted, of retaining as much as possible of what exists at present. The only effectual mode of obviating an objection of this character was by doing more than had hitherto been done. Indeed, the only way in which the Reform Bill could be rendered perfect in theory, would be by a new distribution of the elective franchise, and for that purpose to divide the country into electoral districts. Now I am sure, noble lords will do us the justice to believe that we never had any such project in view; but that, on the contrary, we have evinced a sincere desire to avoid any change so extensive; and if we have left the Bill subject to this charge of being full of anomalies, it was for the sake of preserving, as far as possible, the institutions of the country, as they exist at present; and if its being full of anomalies be the defect of the Bill, it is a defect which can only be cured by adding fresh changes to those which, according to the declara-

tions of the opponents of government, are already too great and extensive. I have now stated the extent of the alterations in that part of the Bill which carries into effect the principle of disfranchisement.

I shall proceed to explain next the enfranchising part of the Bill. If there be any part of the Bill against which no objection can be fairly raised, it is that part of it which declares it to be right and expedient to give the right of suffrage to those great manufacturing and commercial towns which have risen of late years into importance, and which contain a mass of wealth and population equal to that of most of the capitals of Europe. The towns thus raised into the representative system are to be found in Schedules C and D; and here again has a considerable alteration been introduced into the provisions of the present Bill. The result, my lords, of the alterations in Schedules C and D is, that there will now be sixty-four new members for the different large towns in England and Wales—the total addition since the last Bill was before your lordships being twelve. I know that this part of the Bill has been stated to be highly objectionable, as increasing the democratic tendency of it; and in making this observation, I wish, as far as I can, to state all the objections that have been made to the principles of the Bill, in order that I may afford such answer as I am able, and thereby show how willing I am to meet the question with a fair discussion on its merits, both here and in the committee.

It is with this view, therefore, that I repeat that

this part of the Bill has by some been considered as objectionable, inasmuch as it will increase the influence of the democracy. Now admitting,—and I will admit it only for the sake of argument, since the fact is not so,—that all these towns about to be enfranchised will have an interest separate and distinct from, if not opposed to, the landed and agricultural interests (and that is the fallacy upon which the objection has been raised), I deny that there is any ground for the objection. And here let me observe that your lordships have, in my opinion, too frequently admitted what, I must be permitted to call a most unfortunate and a most unfounded distinction between the interests of the trading and commercial, as separate from, if not opposed to, the landed and agricultural interests. Convinced as I am of the necessity of the union of the two, by that harmony and goodwill which are absolutely essential to the prosperity of both, and from the absence of which both must equally suffer, I cannot help calling that distinction to which I have alluded a most unfortunate one.

Reverting, however, to the objections which have been made to the schedules, your lordships will allow me to observe, in the first place, that the access of influence to these towns is counterbalanced by the alteration which has been made in Schedule B; and further, that the more the situation and character of these towns are examined, the more apparent it becomes, that so far from their being opposed to, they are, in fact, intimately connected

with, the landed and agricultural interest. It is absurd for any man who will take the trouble of looking at the names of these towns, to entertain the notion that trading and commercial interests are their exclusive interests. That these interests will predominate in some of the towns is probable, I admit, but at the same time is it not certain that these places are intimately connected with large landed proprietors, who not unfrequently are the chief owners of the property in the towns, and whose influence cannot possibly fail to make itself felt in the return of members to parliament for such places, although the members so returned will naturally be looked up to as the guardians of the interests of the electors? Let us, for instance, look at such towns under the present system. Are not those who are nearest and dearest to your lordships actually sitting at this moment, as they have formerly sat, for such places as those to which your lordships object to extend the elective franchise? and would your lordships, with this experience of the past and present, now tell me that for the future nothing but democratic influence can possibly prevail in the elections of members of parliament for large and populous towns? Is there any reason in these anticipations? or, rather, is not all the reason on the side of those who, judging from the experience of the past, and the natural course and consequence of things in time to come, calculate that, while a constituency will of course be authorised to elect an efficient representative, yet that the choice of

who that efficient representative shall be among a number of competitors, will be decided for the future, as it has been before, by the influence of connections, which seldom fail, and which when properly exercised, I trust never will fail? That, however, which has blinded your lordships to this plain and obvious view of the case is the erroneous presumption, that all elections will be like the last, when the people were in a state of great and universal excitement. My lords, we are not to judge of what elections will be by what they have been, during the ferment which this question of reform has produced. Let this question be once satisfactorily set at rest,—let the cause of the ferment and excitement be removed,—and I am convinced that things will settle, and that the legitimate influence of rank, and property, and good conduct, will be restored. I say, my lords, the legitimate influence of rank and property, and good conduct,—for without good conduct, rank and property never ought, and I hope never will, have any influence at all; but these combined have, in all times past, and must, in all times to come, exercise a degree of influence which is not only perfectly legitimate, but which it will be at once impracticable and mischievous to remove. I trust also that your lordships will see that the number of members given to places in these schedules is not too great when you consider the growing prosperity of the great interests concerned—of those important interests which do not, as has been falsely stated, clash with any other

interests, but which form an integral part of those general interests upon which the welfare of the nation depends. I will not detain your lordships longer upon this point, for I think that I have said sufficient to induce your lordships to go into the consideration of it in committee, there to discuss it impartially, and ultimately to settle it in such a manner as shall best conduce to the general satisfaction of the people, and, therefore, to the promotion of the best interests of the state.

I now come to the consideration of the third of those great principles which, in the view of noble lords opposite, constitute revolution, but which, in my opinion, are essential to an efficient reform, and have nothing of a revolutionary tendency in them. This third principle is the extension of the elective franchise. On this point again I feel myself relieved from entering into any long argument, as well from the full discussion it has already undergone, as from the admissions of its former opponents. A few observations, however, it will be necessary for me to trouble your lordships with. In the first place, I wish to observe that I have been hitherto confining myself to the alterations which have been made in the Bill, and have not touched upon those parts of the measure which have undergone no change: thus the county representation has not been altered. I may presently find it necessary to trouble your lordships with a few words upon that part of the measure; but, in order to save the time of the House, and to spare

myself, I wish to abstain as much as possible from entering into principles which have been before discussed, and into those provisions of the measure which remain unaltered. After this explanation, then, I will pass on to the third principle—the extension of the elective franchise to £10 householders.

A noble earl opposite (*Earl Bathurst*) presented the other night a petition from the University of Oxford, which petition, by the way, admitted, by implication at least, the necessity of parliamentary reform,—no small proof, if any were needed, of the existence of that necessity, when it is considered from whence that petition proceeds,—a noble earl, I say, the other night presented a petition from the University of Oxford, and in so doing represented the petitioners as complaining of this measure of reform, on the ground that it is of too sweeping a character,—that it confers the right of voting at the expense of existing rights,—that the new rights so conferred are rights unknown to the constitution, and that the franchise created by the Bill is objectionable, because it is of general uniformity. Now that there is any validity in these objections, I beg most unequivocally to deny. The gravest part of these objections is that which talks of the rights conferred by the Bill being unknown to the constitution; and yet I am almost ashamed to trouble your lordships with one word in reply to it, after the masterly and eloquent refutation of it which your lordships have heard from my noble and

learned friend on the Woolsack (*Lord Brougham*) during the discussion of the last measure. As, however, the charge has been repeated, it may, perhaps, be expected of me that I should not allow it to appear again unaccompanied by its refutation; and although I should demonstrate more feebly than my noble and learned friend, yet it is necessary that I should demonstrate, that, so far from being unknown to the constitution, the rights conferred by the Bill are in strict accordance with the principles of parliamentary representation under that constitution. Let me, then, remind your lordships that, on the occasion to which I have alluded, my noble and learned friend quoted to the House a report of Mr. Sergeant Glanville, in which the principle of representation was stated to be this—namely, that if a new writ were to be issued to any great town or other place, for the return of members to serve in parliament, and if there were no definition in the writ, as to who should, or who should not be the electors, the right of voting would be *ipso facto* in the resident householders. In this report, drawn up by Mr. Sergeant Glanville, of a committee of the House of Commons, of which it is well known that Coke, Selden, Finch, Noy, (who was afterwards Attorney-General) and other men eminent for their legal knowledge, were members. Perhaps it may be as well to read to your lordships the very words of the report, which are these:—

"There being no certain custom nor prescription who should be electors, and who not, we must have

recourse to common right, which, to this purpose, was held to be, that more than the freeholders only ought to have voices in the election—namely, all men inhabitant householders resident within the borough."

The position laid down in this report, my noble and learned friend challenged any lawyer to contradict, and no lawyer accepted the challenge. The same doctrine, too, is further confirmed by a passage out of Whitelocke's book on government, wherein he says—

"Whenever any question about elections was brought before the House, the inclination of the House of Commons always was to favour popular elections, observing that the more free they were, the more they were for the interest of the community. At this day in many boroughs the election still remains popular, being exercised by all the inhabitants, except almsmen and such like."

I contend, then, that the right of voting in inhabitant householders is the ancient right of voting under the constitution of this country. By the present Bill this right is re-introduced. The Bill confers the right of voting upon the resident householders of the borough; but then, it limits that right to resident householders of £10 a-year. Thus, then, the Bill, so far from introducing a new right, does in fact merely restore, with a limitation, an old acknowledged right. It is, in truth, nothing but the present scot and lot right of voting limited to householders of £10 a-year, and with the

further limitation of requiring that the rates and taxes of such householders must be paid before they can be qualified to vote.

I now call the attention of your lordships to the alterations which have been made in this part of the Bill. In the former Bill it was proposed to ascertain the right of parties to the exercise of the elective franchise, conferred by the Bill, in four ways: by their being rated to the poor's-rate at £10; by their being assessed to the inhabited house duty at £10, by their paying £10 rent, or by the value of their tenement being £10. These provisions are altered in the present Bill, and the right to the exercise of the franchise is made to depend on the value of the tenement only, provided that the rates and taxes payable in respect of the tenement have been paid. The reason of this alteration having been adopted is, to simplify the provision, and more effectually to guard against deceitful and fraudulent practices. When we come to discuss this part of the measure in committee—as I trust we shall—with the view of rendering it as perfect as possible, I think that I shall be able to show to your lordships that there will not be that difficulty which some anticipate, in ascertaining the value of these tenements. Indeed, on this point I have a practical ground of confidence that my view of the facility of ascertaining the value is well grounded.

Your lordships, of course, are aware that it is upon the value of property that the present right of voting in counties depends. A county voter is

qualified by a forty shilling freehold: the value of the property of these freeholds must be ascertained as well as the value of the tenement of a £10 householder; and as I have never heard that any great difficulty has been experienced in the first case, I cannot imagine why any difficulty is to be anticipated in the second. But, as it happens, we have also the test of actual experiment by which to try this provision of the measure. By a certain local Act—an Act regulating the election of the guardians of the poor of the city of Norwich—it is provided that the right of voting at the election of guardians of the poor shall be in the inhabitant householders of £10 a-year. Now, it has not been found that the least difficulty has arisen in elections under this local Act, and I cannot, therefore, see why there should be any difficulty in this provision of the Reform Bill. But, as I before observed, I shall be prepared in committee to discuss fully this objection to the provision, as well as any other objections which have been or may be brought against it. Among those objections there is but one which I feel it necessary to notice on the present occasion. It has been said that this provision of the measure will lead to bribery. Now, if there has been one thing more than another which I and my colleagues have been anxious to guard against, it is bribery; and I shall be happy to adopt any suggestion which will give additional security against so destructive and disgraceful a practice. But these are matters which it will be much more convenient to discuss in the com-

mittee—where, I repeat, I shall be ready to examine any suggestion which noble lords may offer, and to concur in any alteration of the provisions of this Bill which noble lords may think calculated to improve it, provided only that the changes suggested do not diminish the extent of the qualification.

Again, it has been urged, that by this qualification we shall be creating too large a constituency. I am satisfied that this is a mistake, and that it will be found that, in about six or seven places only there will be established a constituency which will be liable to objection on this score. The fallacy on which this objection proceeds is this—namely, that all the qualified tenements entered will give voters. This is far from being the case. After deducting the number of persons absent, the number of tenements occupied by women, and the number of householders who will be disqualified from other causes, it is calculated the number entered will be reduced by at least one-fourth. Then, again, it seems to be forgotten, that the qualification is not exclusively a £10 house qualification, but that it includes all houses above £10. A great proportion will be of a much higher description,—indeed, of so high a description, that I am sure none of your lordships will think of excluding the owners of them from the enjoyment of the elective franchise. The rest will be much more trifling in number than any of your lordships who have not carefully examined the returns would suppose. I will, with the permission

of your lordships, read to you the result of a calculation which I have made from the documents before parliament, with the view of showing what exaggerated notions some persons entertain of the numbers of the constituency which will be created by this provision of the Bill. In order that I might be able distinctly to point out to your lordships what, under the present Bill, will be the relative proportion of the number of £10 householders in each of the boroughs, I have obtained returns, from which it appears that there will be 115 boroughs possessing from 300 to 500 voters, 68 boroughs possessing from 500 to 1000 voters, 102 boroughs possessing from 1000 to 5000 voters, and only 30 boroughs possessing from 5000 voters upwards; so that, from this document which I hold in my hand, it would appear, that out of no less than 315 boroughs, there are only 30 which have a number of voters exceeding 5000. I therefore think that, after this, it can hardly be again contended, with any show of success, that this £10 clause threatens all that danger and mischief with which it has so much been attempted to alarm the public mind. And now let me ask your lordships, who are the persons that will be enfranchised under this clause? They are persons who, in my opinion, from the very circumstance of their occupying a £10 house, the rent and rates of which, (be it observed, the taxes must, under the provisions of this Bill, be paid) have given a sort of guarantee of their holding a certain station in life—who thereby exhibit an open sign of their

possessing some property—who have given a pledge to the community for their good conduct—and who, for the most part, are married men and the fathers of families. And will any one, after this, venture to say that we cannot entrust such men as these with the constitutional privilege of choosing their own representatives in parliament?

I trust that, from what I have already stated, it will be perceived that every care has been taken to guard the country from those consequences which some assert must necessarily follow on this Bill passing into a law. But there still remains one other security which I have not yet mentioned. It must be remembered, that according to the provisions of this Bill, a considerable time must elapse before any individual can be admitted to a right of voting; for he must have been in occupation of a £10 house for a year up to the last day of the July preceding the registration; besides which, as another three months will elapse between the formation of the list by the overseers and the ultimate conclusion of the register, if the election takes place in the interim, before the register is finished, a man will not be entitled to vote till he proves that he has occupied a £10 house up till the last day of July in the year preceding, in which case he will have been a £10 householder for two years instead of one; while, if the election takes place after the finishing of the register, the voter will have been an occupant for at least a year and a quarter. I know that one objection that will be taken to this part of

the Bill will be, that it does not insist on a man having occupied one house only for that length of time, but that a variety of residences will do, so long as he can show that he has for the required time been rated at £10. I do not, however, believe that any difficulty is to be apprehended from this division of tenantcy, more especially as this same thing already exists in a manner in the scot and lot boroughs, where the duration of occupancy is only limited to six months. These, then, my lords, are the circumstances under which I once again venture to propose this Bill to your lordships, for the purpose of asking you to pass it into a law; and I would on this occasion repeat what my noble and learned friend on the Woolsack well remarked, when the former Bill was under the consideration of this House:—in his words I would say, "It is a large measure of reform that is required;" and, for myself, I would add—that if we would tranquilise the country—if we would give satisfaction to the people—and if we would place this question in such a situation as to prevent its being again agitated, we must indeed admit by our acts, that it is a large measure of reform that is required. But the noble earl who presented the Oxford petition, also objects to the uniform right of voting that is to be introduced by this measure: on what ground, however, except that it is uniform, I am not very well able to understand. Uniformity, hence, appears to me, to be a very great advantage; for uniformity generally affords publicity of execution. But if by this

objection any one means to say that the effect will be to confine the power to any particular description of interests, I beg leave most decidedly to dissent from that proposition, as it is one put forward without any degree of colour whatever for its support. It is true that the right of voting is to be uniform; and so far, I say, the arrangement is beneficial. But though the right of voting will be uniform, the possession will be various; and the habits, the feelings, and the dispositions of the persons possessing the franchise will vary according to the different circumstances in which they are placed. The £10 voter of Liverpool and Manchester, for instance, will be a very different sort of a person from the £10 voter of Guildford and Dorchester; and your lordships may rely upon it that the result of this franchise will be, that in one place we shall have a class of voters supporting the commercial interests—in another a class supporting the manufacturing—and in a third a class supporting the agricultural; while again, in such places as Chatham and Plymouth, we shall probably have a class willing to give their support to the government; this latter may be objectionable, but, at all events, it is right to state it, for the purpose of showing that though the franchise is uniform, the possession is various, and therefore calculated to admit all the interests of the community to their just preponderance in the House of Commons, and to produce that very effect which all ought to wish for, who desire to see the country really and not nominally represented.

I feel that I have trespassed too long on the time of your lordships in describing these principles which I doubt not were already well known to the House. It is by these great principles, however, (which by some are said to constitute revolution, but which I say embody the true and real doctrine of representation,) that I now call on your lordships to examine a measure which I most confidently believe is not only calculated to benefit the country, but to afford a safe and easy transition from the difficult situation in which we are now placed, to one of happiness and prosperity. There are one or two other alterations in this Bill, to which I must likewise call the attention of your lordships, in order that you may be fully aware of the difference between the two Bills. The first of these is the addition of a number of members, so as to leave the whole amount of the House of Commons the same as it is at present, owing to which the proportion of the number of members for England and Wales is only reduced by the thirteen additional representatives that are to be divided between Ireland and Scotland.

Another alteration is that of continuing the right of voting to the freemen in perpetuity, which, by the former Bill, was only given to those in actual existence, or who had already inchoate rights. A third alteration is that by which, instead of leaving the boundaries of the boroughs to be defined by commissioners, the same process is to be provided for by a Bill, which is now before the House of

Commons. I believe, also, that there are a few other subordinate alterations, though I do not at this moment recollect them; and, at all events, I have no doubt that your lordships will admit that I have stated sufficient to show what is the general tendency of these alterations. No alteration has taken place in the county constituency, except that a certain description of leaseholders have been admitted to the right of voting. The total number of English county members will be 144. No alteration has been made with respect to the old boroughs, except that 30 boroughs in Schedule B have been deprived of one member each. The number of members for the old boroughs amounts to 264, and the number for the new boroughs to 64, making altogether 328 borough members. Thus the whole representation of England, under this Bill, will form an aggregate of 472 members, and when to these are added the members for Wales, the total number of the representatives for England and Wales will be 500, a number which, it cannot be denied, is amply sufficient to secure to this part of the United Kingdom a due preponderance in the representation. We may fairly consider that the 144 members to be returned for counties will be connected with the landed interest, or if you please, with the aristocracy. I will say the same, also, with respect to the 264 members for the old boroughs: thereby making a total of 408 members out of 472, who are directly connected with the landed interests. If we should even be of opinion that every one of the 64 new borough mem-

bers should be connected with the manufacturing and commercial interest, this addition to the influence of these flourishing and extending interests cannot, I think, be considered more than their importance justly entitles them to, or more than the extraordinary advances which these interests have made in wealth, intelligence, and power, within the last century, have justly authorised them to demand.

I have now brought to a conclusion all that I think it necessary to address to you on this occasion. Much that relates to the general character of the measure, and to the circumstances in which his Majesty's ministers thought it incumbent on them to introduce it, I have left untouched, as having been fully and repeatedly discussed on former occasions. Much, even, that relates to the details of the present Bill, I fear I may have omitted, or explained too imperfectly. But these deficiencies may be supplied by others, in the course, even, of this debate; and even to me I trust the House will allow the opportunity, at the end of the debate, which is usually given to those who introduce an important question, of adding any thing that I may find necessary. But full and ample opportunity will be afforded for this purpose in the committee, if, as I undoubtedly hope and believe it will, the motion now awaiting your decision should receive your lordships' assent. I look, I say, to this decision with hope approaching to confidence, but not without anxiety, for I know all that depends upon it to the country, to this House, and to myself.

We have not heard, lately, of reaction, but I am not without fear that there may be some who may think that the general silence now prevailing betokens some diminution of the deep interest—of the intense earnestness with which the public is looking to the issue of this night's debate. If such be their impression, I am convinced that they will find that it is unfounded. If there have been no petitions, let it not be supposed that this proceeds from any diminished feeling in favour of the object, for which, during the progress of the former Bill, petitions were so numerously addressed to this House. I fear, rather, that the cause is to be found in a diminished hope that such applications here will be successful—from an increasing persuasion that we do not sympathise with the people—from a prevailing belief that our own separate interests are more considered by us than those of the people at large. Such a belief, I am sure, is erroneous, and I trust it will receive a satisfactory contradiction from the vote of this night.

I have been accused of using the language of intimidation. Such, my lords, is not my intention; but surely it is not to threaten, if I offer the advice which any honest counsellor would submit to the most absolute monarch, that there is no station, no rank, no dignity, no authority, no power, which can safely disregard public opinion. I counsel you not to yield to a temporary—a passing impulse, or to the impetuosity of unreflecting clamour. But I do counsel, nay I entreat you, to consult the general

feeling of the public, which, when strongly, and generally, and perseveringly, and uniformly expressed, as it has now been, upon any subject which they have had full opportunity to consider and to examine, is entitled to attention, and, let me add, to respect. Such an expression of public feeling will not, I trust, be met with a harsh rejection of the measure on which it is fixed, but with a kind and —may I not say, without offence?—prudent consideration of that measure in a committee, where— the principle, to a greater or less extent, being almost universally admitted,—its details may be fully canvassed and discussed. So far let me entreat your lordships to a compliance with the public and general desire: do not convert what is now suspended hope into absolute and irremediable despair.

I have, throughout, endeavoured not to say one word which could excite angry feelings, or add excitement to—I wish I could say—dying animosities. If I have done so, I disclaim it, as being most remote from my intention, and ask pardon for it. But let me entreat you well to weigh and to consider what may be the effect of a rejection of this Bill. You have seen, and you have felt, how much the public interests have been affected by the long-continued anxiety and suspense in which the public mind has been held,—how much its commercial transactions, its domestic interests, its foreign relations, have all sustained injury, more or less. For this I maintain that the King's ministers are not to blame; and I do not impute it as blame to those

who have opposed them. It was, perhaps, the unavoidable consequence of conflicting opinions on a great measure of constitutional policy. But that these consequences have taken place is certain; and it must be equally the desire, as it is the interest of us all, to put an end to a state of things so embarrassing and so afflicting. You have now an opportunity of doing so, which, if lost, it may be difficult to recover. But, if you reject the Bill, what will be the consequence? Will the question be set at rest? The acknowledgment of all, even of those who have been most opposed to this Bill, that a reform is necessary,—still more, the undiminished force of public opinion,—show this to be impossible. If this Bill is not allowed to go into Committee, another—let who will be Ministers—must be introduced. Then follows another period of suspense and agitation, exempt, I trust, from violence and tumult, but still most prejudicial to the interests and to the tranquillity of the country.

My lords, I forbear to press further the consequences of a second rejection; what I have said is enough to induce you to weigh well those which I have pointed out, which are sufficiently serious to demand the most anxious reflection. To the country, and to your lordships, therefore, the result of this night is important in a degree scarcely paralleled in your records as a legislative assembly. To myself, every thing depends upon it. I knew all the difficulties to which I exposed myself when I undertook this measure;—a sense of the duty which

I owed to my Sovereign and my country commanded me to brave them.

Having introduced the measure, I have endeavoured to conduct it through the various embarrassments with which it was beset, with a steady adherence to its principles, and to the views upon which I had originally acted. I have been exposed to much injustice,—to many, I will confidently say, undeserved attacks,—to much misrepresentation,—and, I must add, to much suspicion, from which I should have thought I might have been protected. But I have not been deterred from doing what I thought right, nor allowed myself to be forced and driven into any measures which, while a hope existed, I could not approve. I have felt, I say, the attacks to which I have been exposed, and I know what further I have to expect. In the event of its failure, a personal responsibility rests upon me, which, perhaps never was before sustained by any former minister. I may sink under it—that is nothing: I shall have the support of an approving conscience, which has always instructed me to do what is right, and to leave the consequences to God. What I pray for is, that I may be the only victim, and that the consequences of my failure may affect neither the prosperity nor the peace of my country, nor that union between your lordships and the people on which the welfare of both,—and what is necessary to the welfare of both, your lordships' authority, and character, and usefulness, essentially depend. I now move that this Bill be read a second time.

ROBERT LYLE,
TURNER'S COURT, ARGYLE-STREET,
GLASGOW.

WORKS PUBLISHED BY

RICHARD GRIFFIN & COMPANY,

LONDON AND GLASGOW,

PUBLISHERS TO THE UNIVERSITY OF GLASGOW.

Anecdotes—Literary and Scientific.

CYCLOPÆDIA OF LITERARY AND SCIENTIFIC ANECDOTE. Edited by WILLIAM KEDDIE, Esq., Secretary to the Glasgow Philosophical Society. Crown 8vo, 5s cloth.

Anecdotes—Religious.

CYCLOPÆDIA OF RELIGIOUS ANECDOTE. With Introductory Essay by the Rev. Dr CHEEVER. To which is added a Complete Series of Scriptural Texts illustrated by the Anecdotes. 4th Edition. Crown 8vo, 5s cloth.

Balfour.—Manual of Botany;

An Introduction to the Study of the Structure, Physiology, and Classification of Plants. By JOHN H. BALFOUR, F.R.S.E., Professor of Botany in the University of Edinburgh. Numerous Illustrations, Second Edition, crown 8vo, 12s 6d cloth.

Bell.—Missions.

CYCLOPÆDIA OF CHRISTIAN MISSIONS; their Rise, Progress, and Present Condition. By JOHN BELL, A.M., late Principal of the Elphinstone Institution, Bombay. Crown 8vo, 5s cloth.

Biography, Cyclopædia of;

Containing a Complete Series of Original Memoirs of the most Remarkable Individuals of all Times and Nations. By ALISON, BREWSTER, BURTON, CRESSY, KNIGHT, NICHOL, SPALDING, WORNUM, and other Contributors. With 150 Illustrations. Post 8vo, 12s 6d cl.

Book of Nature:

A COMPREHENSIVE INTRODUCTION to the NATURAL and PHYSICAL SCIENCES. From the German of Professor SCHOUDLER, with numerous Additions, by HENRY MEDLOCK, F.C.S. Second Edition, corrected and enlarged. With Copious Index, and 500 Engravings, post 8vo, cloth, 10s 6d.

Book of Trades; Or, Circle of The Useful Arts.

Illustrated by Engravings and Woodcuts, Eleventh Edition, 16mo, 4s 6d cloth.

Campbell.—British Naval History.

Lives of the British Admirals and Naval History of Great Britain from the Days of Cæsar to the present time. Fifth Edition, with numerous Engravings, foolscap 8vo, 3s 6d cloth, or 4s extra gilt.

Coleridge.—Treatise on Method.

Introductory Dissertation to the Encyclopædia Metropolitana, with a Synopsis. By SAMUEL TAYLOR COLERIDGE. Crown 8vo, 2s cloth.

Cox.—Biblical Antiquities.

BIBLICAL ANTIQUITIES, OR ILLUSTRATIONS OF THE HOLY SCRIPTURES. By the Rev. F. A. Cox, D.D. LL.D. With Maps and nearly 200 Illustrations, crown 8vo, 7s 6d cloth.

Cox.—Sacred History and Biography,

From the Antediluvian Period to the Time of the Prophet Malachi. Edited by the Rev. F. A. Cox, D.D., LL.D. Crown 8vo, 6s cloth.

Cruden.—Complete Concordance to the Holy Scriptures.

Condensed and Revised from the larger Work of Cruden. By the Rev. Professor EADIE, D.D. LL.D. New edition, 8vo, 5s cloth.

Eadie.—Ephesians.

A COMMENTARY ON THE GREEK TEXT OF THE EPISTLE OF PAUL to the EPHESIANS. By the Rev. Professor EADIE, D.D., LL.D., 8vo, 14s cl.

Eadie.—Biblical Cyclopædia;

Or, Dictionary of Eastern Antiquities, Geography, Natural History, Sacred Annals and Biography, Theology, and Biblical Literature. By the Rev. Professor EADIE, D.D., LL.D. With Maps and numerous Illustrations, fifth edition, revised, 8vo, 7s 6d cloth.

Eadie.—Dictionary of the Bible,

For the use of Young Persons. By the Rev. Professor EADIE, D.D. LL.D. With 120 Illustrations, third edition, 18mo, 2s 6d cloth, or 3s 6d cape morocco gilt.

Eadie.—Early Oriental History;

Comprising the History of Egypt, Assyria, Persia, Media, Phrygia, and Phœnicia. By the Rev. Professor EADIE, D.D., LL.D. Numerous Illustrations, crown 8vo, 8s cloth.

Ecclesiastical History.

FIRST DIVISION.—HISTORY OF THE CHRISTIAN CHURCH IN THE FIRST CENTURY. By Right Rev. SAMUEL HINDS, D.D., Bishop of Norwich, and Rev. J. H. NEWMAN, B.D. Crown 8vo, 6s cl.

SECOND DIVISION.—HISTORY OF THE CHRISTIAN CHURCH IN THE SECOND AND THIRD CENTURIES. By JAMES A. JEREMIE, D.D., Regius Professor of Divinity in the University of Cambridge. Crown 8vo, 4s cloth.

THIRD DIVISION.—HISTORY OF THE CHRISTIAN CHURCH FROM THE FOURTH TO THE TWELFTH CENTURY. By the Rev. J. M. Guilding. *Nearly ready.*

Greece.—History of.

HISTORY OF GREECE from the Earliest Period to the Absorption of Greece in the Roman Empire, Close of the Peloponnesian War. By E. POCOCKE, Esq., Rev. J. B. OTTLEY, M.A., Sir THOMAS N. TALFOURD, D.C.L., Rev. W. R. LYALL, D.D., etc. 2 vols., crown 8vo, 17s. cl.

EARLY GREECE. 150 Illustrations, 9s cloth.

GREECE AND MACEDONIA. 150 Illustrations, 8s cloth.

Greek Literature.—Talfourd, &c.

HISTORY OF GREEK LITERATURE. By Sir T. N. TALFOURD, Right Rev. Dr BLOMFIELD, E. POCOCKE, Esq., Rev. H. THOMPSON, M.A., and other Contributors. With Chronological Tables and Index. Crown 8vo, 7s 6d cloth.

Greek and Roman Philosophy and Science.

HISTORY OF GREEK AND ROMAN PHILOSOPHY AND SCIENCE. By the Rev. Dr BLOMFIELD, WILLIAM LOWNDES, Esq., M.A., Q.C., Rev. S. W. BLAKESLEY, M.A., ANDREW FINDLATER, A.M., Rev. Professor JEREMIE, Rev. Professor WHEWELL, and other Contributors. Crown 8vo, 6s cloth.

Hale.—History of the Jews,

From the Time of Alexander the Great to the Destruction of Jerusalem by Titus. By Archdeacon HALE, Master of the Charter House. Crown 8vo, 2s 6d cloth.

Herschel.—Contributions to the Encyclopædia Metropolitana:

viz., Physical Astronomy, Light, and Sound. One Vol., 4to, cl., 15s.

Horatii Opera.—Pictorial Edition:

The Complete Works of HORACE, from the Text of ORELLIUS, with 250 Illustrations from the most authentic sources, and Introductory Dissertation on the Life and Poetry of Horace, by the Rev. HENRY THOMPSON, A.M., late Scholar of Cambridge, Vicar of Chard. Crown 8vo, 7s 6d, antique binding.

Hunt.—A Manual of Photography,

Embracing the Daguerreotype, Calotype, and all the published Photographic processes. By ROBERT HUNT, Esq., Professor of Mechanical Science in the Museum of Practical Geology. 4th edition, enlarged. With numerous Engravings, crown 8vo, 6s cloth.

Jamieson.—Religious Biography.

POPULAR CYCLOPÆDIA OF MODERN RELIGIOUS BIOGRAPHY. By the Rev. ROBT. JAMIESON, D.D. 2d ed., crown 8vo, 5s, cl.

Jews—History of.

BIOGRAPHICAL ANNALS OF THE HEBREW NATION, from the Earliest Period to the Destruction of Jerusalem under Titus. By ARCHDEACON HALE, Rev. Dr COX, Dr MASON GOOD, and others. With Landscape Illustrations. Crown 8vo, antique cloth binding, 8s.

Kingsley.—National Sermons.

By the Rev. CHARLES KINGSLEY, Canon of Middleham, and Rector of Eversley. Foolscap 8vo, *First or Second Series*, each 5s cloth.

Literary Addresses.

THE IMPORTANCE OF LITERATURE TO MEN ENGAGED IN BUSINESS. A Series of Addresses by the First Men of the day. F'scap 8vo, 5s cloth.

Manufactures and Machinery.

THE ENCYCLOPÆDIA OF ARTS, MANUFACTURES, AND MACHINERY. By Prof. BARLOW. With an Introductory Dissertation, by Prof. BABBAGE. New edition, illustrated by 87 Pages of Engravings by Lowry, 4to, 42s half russia, or emblematical cloth binding.

Mathematics.

THE ENCYCLOPÆDIA OF PURE MATHEMATICS, Comprehending a complete Course of Mathematical Science. By Profs. AIRY, BARLOW, DE MORGAN, HALL, HAMILTON, LEVEY, MOSELEY, Dr LARDNER, and Rev. Dr PEACOCK, Dean of Ely. With 17 Engravings, £1 1s, cl.

Maurice.—Moral and Metaphysical Philosophy:

ANCIENT PHILOSOPHY, comprising the Hebrew, Egyptian, Hindoo, Chinese, Persian, Grecian, Roman, and Alexandrian Systems of Philosophy. By Rev. F. D. MAURICE, Chaplain to Lincoln's Inn. Third edition, crown 8vo, 5s, cloth.

PHILOSOPHY OF THE FIRST SIX CENTURIES. Crown 8vo, 3s 6d, cloth.

PHILOSOPHY OF THE MIDDLE AGES. Crown 8vo. *In the Press.*

MODERN PHILOSOPHY. Crown 8vo. *In the Press.*

Mental Science—Manual of.

SAMUEL TAYLOR COLERIDGE ON METHOD; ARCHBISHOP WHATELY'S TREATISES ON LOGIC and RHETORIC. In 1 Vol., forming a Section of the Encyclopædia Metropolitana. Crown 8vo, 5s cloth.

Mitchison.—Hand-Book of Scottish Song.

A HAND-BOOK OF THE SONGS OF SCOTLAND, containing the best Songs of Burns, etc., Set to Music. With Notes, and Life of Wilson. By WILLIAM MITCHISON. Crown 8vo, 2s 6d, cloth.

Napier.—Manual of Dyeing,

Practical and Theoretical, by JAMES NAPIER, F.C.S. With Engravings. Post 8vo, 7s 6d cloth.

Napier.—Manual of Electro-Metallurgy;

Containing an Account of the most Improved Methods of depositing Copper, Silver, Gold, and other metals, with numerous Illustrations. By JAMES NAPIER, F.C.S. Second edition, revised and enlarged. Crown 8vo, 3s 6d cloth.

Phillips.—Manual of Metallurgy:

Being an Account of Assaying, Mining, Smelting, etc., by J. A. PHILLIPS, F.C.S. Second edition corrected. With above 200 Engravings. Crown 8vo, 12s 6d cloth.

Pococke.—India in Greece, or, Truth in Mythology,

Containing an Account of the Sources of the Hellenic Race, the Colonisation of Egypt and Palestine from India, the Wars of the Grand Lama, and the Bud'histic Propaganda in Greece. By E. POCOCKE, Esq. Illustrated by Maps of India and Greece, post 8vo, 12s cloth.

Procter.—History of the Crusades;

Their Rise, Progress, and Results. By COLONEL PROCTER. With Illustrations after Gilbert, etc. Crown 8vo, 5s cloth.

Ramsay.—Roman Antiquities;

A MANUAL OF ROMAN ANTIQUITIES. By WILLIAM RAMSA M.A., Professor of Humanity in the University of Glasgow, with Ma numerous Engravings, and very copious Index. Second Editio crown 8vo, 8s 6d cloth.

Reid.—Intellectual Powers.

ESSAYS ON THE INTELLECTUAL POWERS OF MAN. B THOMAS REID, D.D. New edition, crown 8vo, 5s.

Religious Denominations.

CYCLOPÆDIA OF RELIGIOUS DENOMINATIONS. Ar Authentic Account of the various Religions prevailing throughout the World, written by Members of the respective Bodies. Second Edition, crown 8vo, 5s cloth.

Rome—History of.

HISTORY OF ROME, from the Foundation of the City of Rome to the Extinction of the Western Empire. By the Rev. THOMAS ARNOLD, D.D., the Rev. J. A. JEREMIE, D.D., Sir THOMAS NOON TALFOURD, D.C.L., and others. Illustrated by numerous Engravings. Three Volumes, crown 8vo, cloth, £1 9s 6d.

1. THE ROMAN REPUBLIC, 8s 6d cloth.
2. THE ROMAN EMPIRE, 10s 6d cloth.
3. THE DECLINE AND FALL OF THE ROMAN POWER, 10s 6d cl.

Roman Literature.—Arnold, Thompson, etc.

HISTORY OF ROMAN LITERATURE. By the late Dr ARNOLD, Rev. HENRY THOMPSON, M.A., Rev. J. H. NEWMAN, D.D., the Rev. J. M. NEALE, and other Contributors. Crown 8vo, 10s 6d cloth.

Senior.—Political Economy;

The Science which Treats of the Nature, Production, and Distribution of Wealth, forming part of the Encyclopædia Metropolitana. By NASSAU W. SENIOR, late Professor of Political Economy, Oxford. Third Edition, crown 8vo, 4s cloth.

Scripture Readings.—Jamieson.

The Bible Familiarly Explained to the Young. Edited by the REV. Dr JAMIESON. With Illustrations, foolscap 8vo, 3s 6d cloth.

Vol. 1, The Patriarchs.
Vol. 2, The Historical Books.
Vol. 3, Poetical & Prophetical Books.
Vol. 4, Gospels and Epistles.

Spooner.—Veterinary Art.

Practical Treatise on the Diseases of the Horse. By W. C. SPOONER, Esq. With 50 Engravings, forming part of the Encyclopædia Metropolitana, crown 8vo, 3s cloth.

Stoddart.—Introduction to History;

Two Dissertations—FIRST: On the Uses of History as a Study. SECOND: On the Separation of the Early Facts of History from Fable. By Sir JOHN STODDART, LL.D. Crown 8vo, 5s cloth.

Stoddart.—Universal Grammar,

Or, the Pure Science of Language. By Sir JOHN STODDART, LL.D. Third Edition revised, crown 8vo, 5s cloth.

Thomson.—Chemistry.

CYCLOPÆDIA OF CHEMISTRY, with its Applications to Mineralogy, Physiology, and the Arts. By ROBERT DUNDAS THOMSON, M.D., F.R.S.E., Professor of Chemistry at St Thomas's Hospital College, London. With numerous Illustrations, post 8vo, 12s 6d cloth.

Whately.—Logic.

Original Edition, complete, forming part of the Encyclopædia Metropolitana. With Synopsis and Index. Crown 8vo, 2s swd., or 3s cl.

Whately.—Rhetoric.

Original Edition, complete, forming part of the Encyclopædia Metropolitana. With Synopsis and Index. Crown 8vo, 2s 6d swd., or 3s 6d cl.


3 2044 004 487 104

